California Journal

A MONTHLY DIGEST OF STATE GOVERNMENT AND POLITICS

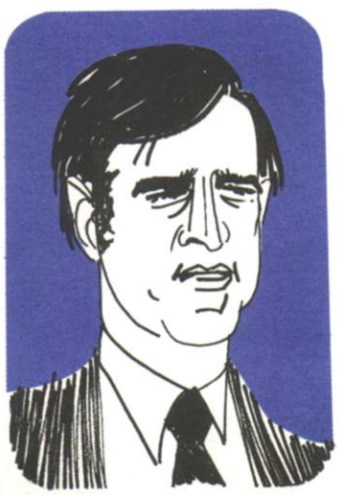
Reagan's Budget Draws Attacks

Education Vouchers Proposed

PUC Changes Course

Environmental Superagency

Wildlife Administration



Jerry, Secretary of State

Willie on the Budget

Interviews:
The Two Browns

February 1971 in Review

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Editor's Note

Recent visitors to our offices have commented on the constant beehive of activity that last year was normally reserved for the week or so preceding the *Journal's* monthly deadline. While we miss the occasional periods of relative calm, the change is the result of a conscious decision to expand our activities in a way that will help the *Journal* and its subsidiary information services.

For those of you who are not familiar with our internal operating structure, we believe the following description might be instructive and possibly even profitable. *California Journal* is a California corporation wholly owned by its officers (listed at the bottom of the masthead to the right) who double as editorial board on recurrent questions of editorial policy and as contributors responsible for much of each month's writing.

California Journal/Information Service is a subsidiary of the *Journal*, providing Quick Query and more extensive information services. The Quick Query service comes with corporate subscriptions and provides answers to requests for up-to-the-minute information on the status of matters covered by the *Journal*.

This year we have taken steps to increase substantially the capability of the Information Service so that we can offer comprehensive and insightful coverage in nearly all areas of state government on the same bi-partisan, objective basis as in the *Journal* itself. The purpose of this service is to respond to the need of private associations and businesses with direct, particular interests which can only be met by frequent and specialized reporting. Currently the Information Service provides regularized reports for a wide range of clients in business, labor and such specialized fields as conservation and education. In some areas where there is general interest, the Information Service publishes a service available on a subscription basis.

A substantial portion of the activity of this office is not accounted for by the *Journal*, but is the result of the work of California Research Consultants, a firm which specializes in public policy research related to state government for both public and private clients. The *Journal* is not a full-time occupation for any of the senior editors, although it is tempting, and counting midnight hours more accurate, to say it is more than full-time. Each of us, in inverse proportion to the time we spend on the *Journal*, is active in the work of California Research Consultants. We think an underlying strength of the *Journal* is that this association permits us to have talents and expertise available which could not be afforded on a full-time basis by the magazine itself.

Since January four UC Davis government students have been interns with *California Journal*. Each was assigned the task of studying one or two state agencies in depth and then preparing a detailed background paper to serve as the basis for an article in the *Journal*. In this issue, two articles are the result of their labors. Ann Stokes gathered information on the Department of Fish and Game and Ed Saint John did research for the piece on the Public Utilities Commission. Diane Friedman researched the California Council on Criminal Justice which will appear next month, and Nick Chiulos, did the background work on the Lieutenant Governor's Office story published last month.

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Reagan's 1971-72 Budget Draws Heavy Attack

"It is a very austere budget. It is also a budget that meets our responsibilities to the people of California without increasing taxes. I am sure you must agree that is essential to the well-being of our citizens."

With these words Governor Ronald Reagan unveiled his state fiscal plan for 1971-72. There is no denying that his new budget is austere, but the manner in which he has met his responsibilities to the people has become subject to serious question.

On the subject of budgets, California's Constitution requires only that "within the first 30 days of each regular session, the Governor shall submit to the Legislature, with an explanatory message, a budget for the ensuing fiscal year containing itemized statements of recommended state expenditures and estimated state revenues. If recommended expenditures exceed estimated revenues, he shall recommend the sources from which the additional revenues should be provided." This gives the Governor a great deal of latitude as to the manner in which the proposed expenditures are presented and the methods by which he balances expenditures and revenues. Nevertheless, it has come to be expected by legislators that the Governor's Budget will be a completed document which, however debatable some of its assumptions and however it may be altered in detail during passage through the Legislature, can stand by itself as a fiscal plan for the ensuing year.

Budget Balanced But . . .

Serious questions have been raised as to whether that expectation has been fulfilled by the document which the Governor presented to the Legislature in February. Although technically in balance, it is incomplete in several respects, most importantly in the budget for social welfare where it is stated by way of a footnote that estimated costs for 1971-72 are to be reduced by $200 million as a result of "administrative reforms" in 1970-71 and in a single line in the summary that there will be further savings of $386 million as a consequence of "legislative and additional administrative reforms". Together these two savings come to $606 million, of which $219.8 million is state money — clearly an important factor in achieving the budget balance. However, the Governor was unable to say at the time he presented the budget just how these savings were to be achieved.

Administration officials have said that the savings are to be achieved by cutting back welfare payments to persons who have some income, eliminating certain social services, and otherwise reducing the number of Californians eligible for welfare payments and services. But the administration had not worked out its plans in detail by the time specified for submission of the budget and has not prepared legislation required to implement the reduction. When the Governor asked to speak before a joint meeting of the Legislature to spell out his plans Senate President pro Tem James Mills withheld agreement saying that the Legislature works with "legislation not generalities". The Governor then said that he would present his statement in writing to the Legislature.

Fund Transfers

In addition to the undefined cuts in welfare spending, the General Fund is to be balanced by drawing monies from several special funds. Although such transfers are not in themselves uncommon, the choice of funds has raised serious questions among fiscal experts. An amount of $72 million will be drawn from the reserve of the Teachers Retirement Fund, even though the fund has recently been found to be seriously underfunded. There is no provision noted for repaying the $72 million.

Total State Expenditures By Function*
(In Millions)

	Actual 1969-70	Estimated 1970-71	Budgeted 1971-72
Legislature	$25	$30	$30
Judiciary	20	21	22
Executive	4	5	5
Fiscal Management	57	59	63
Dept. of Justice and Related	25	31	32
Corrections	18	20	20
Agriculture	33	36	26
Consumer Affairs**	11	12	12
Business and Utilities	34	40	38
Transportation	772	715	347
Resources	123	127	115
Welfare	596	742	677
Mental Hygiene	271	297	312
Medi-Cal	2,342	2,358	2,307
Education	388	485	589
Public Health	25	26	40
Veterans	8	7	7
General Services & Personnel	15	12	11
Debt Service	85	100	118
Tax Relief & Shared Revenue	851	955	1,009
Misc. & Unallocated	273	215	590
TOTALS	$5,975	$6,293	$6,370

*Excluding bond funds
**Professional and vocational standards

Another controversial budget balancing proposal is the attempt to transfer $16 million in proceeds from the 1968 Junior College Bond Act to the General Fund. In an opinion made public by Senator Stephen Teale, Legislative Counsel George Murphy has termed the proposal unconstitutional in that it would be an unauthorized violation of the terms of the bond act approved by the voters. Administration efforts to describe the proposed action as a repayment of an earlier appropriation of General Fund monies for junior college construction have won few supporters.

Other proposed budget balancing transfers are: $20 million from truck tax revenues, $13.7 million from State Water Project Funds, $3.3 million from the

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Harbors and Watercraft Fund and $1.75 million from capital outlay for local fairs.

Deep Cuts

The explanation for the fact that the Governor's Budget remains an incomplete statement of planned revenues and expenditures seems to be that the Department of Finance, directed by the Governor to draft a budget which did not require new taxes, simply found this to be an impossible task within the time allotted to it. In order to present the budget within the mandatory 30 days after the convening of the Legislature, the department was forced to fall back on unexplained footnotes and fund juggling so as to buy more time. Although many major programs have been cut below the level of funding established in earlier budget acts, the combination of workload growth, price inflation and the continued economic slump made it impossible to bridge the gap between revenues and expenditures without cutting even deeper.

General Fund expenditures (those costs financed from general revenues rather than specially earmarked funds), which comprise 72 percent of total spending, are to be reduced by $15 million from the estimated level of the current year. This compares with a budgeted increase of $180 million, or 3.9 percent, between 1969-70 and 1970-71, which is now estimated to have grown to $434 million, or 9.7 percent. Special fund expenditures, in contrast, are to increase by about $92 million in 1971-72.

Among the three major categories of expenditures, local assistance is to continue to grow the most, but that growth is down sharply from previous years. Local assistance expenditures, which are primarily school funds, welfare and Medi-Cal, and tax relief and shared revenue, are budgeted to increase in 1971-72 by only $70 million (excluding capital outlay), as compared with $425 million the year before.

Expenditures for state operations are to increase by only $32.6 million in the budget year, while capital outlay expenditures from current funds are to be reduced by $15.9 million. Capital outlay from bond funds is to be reduced by $93.6 million, reflecting cutbacks in highway and campus construction, although the level of bond fund expenditures remains high.

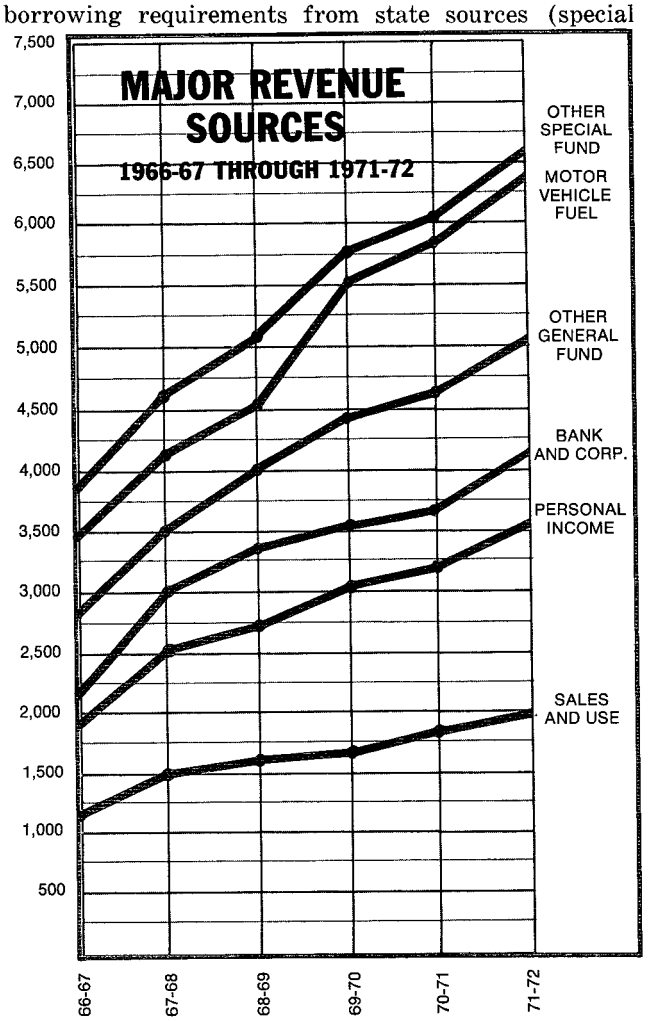
"I am very serious in saying that if the budget is passed in the amounts proposed and with no more control over the final actual expenditures for welfare, Medi-Cal and schools than can be extracted from these proposals, this bill may become known as the Property Tax Increase Act of 1971. It is unfortunate in view of the magnitude of the reductions proposed in this budget that it is so incomplete a document."

— A. Alan Post

Cash Deficit

Over the past two years budgeted General Fund expenditures have exceeded revenues, with the consequence that accumulated treasury surpluses have been depleted. The 1971-72 budget provides for a surplus of revenues over expenditures of $163.7 million, but when this amount is added to funds carried over from 1970-71, it provides only $1.9 million in year-end "free surplus", after deducting the "reserve for working capital" which is intended to keep the state from overspending its available cash.

As a consequence of these manipulations, moreover, the 1970-71 budget will end up with a year-end deficit of $124.5 million, and that amount, plus $1.5 million necessary to provide a cash balance, will be carried over into 1971-72 as $126 million in borrowing. Not only does this mean that the budget for 1970-71 was not balanced but it will put the General Fund in a very serious cash position in the new fiscal year. Because of this carry-over, the Legislative Analyst estimates that the General Fund will not be able to meet its full cash borrowing requirements from state sources (special funds). The Analyst predicts that the state will run out of cash in September 1971, if this budget is adopted as presented.



Transportation

The three principal state agencies in the field of transportation are the Highway Patrol, the Department of Motor Vehicles and the Department of Public Works. All three are financed wholly from special funds (licenses, fuel taxes, etc.) and federal aid, and all three will increase their current expenditures substantially in the budget year. The California Highway Patrol is to gain 282 new positions and an operating budget increase of $8 million, plus funds for construction of a new academy and other facilities. The Department of Motor Vehicles will gain 118 new positions for licensing and registration with a total budget increase of about $2 million.

Current expense for the Department of Public Works is to grow by about $2 million, although total

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expenditures including capital outlay for highway and road construction will be down by $133 million. The reduction in construction funds is due in greater part to a reduction in federal freeway monies.

Resources

Total expenditures in the field of resources are to drop by $12 million or 9.4 percent from estimated expenditures for this year. The staff and service reductions are spread among almost all of the boards, departments and other agencies which fall within this category.

Support for the Air Resources Board, which is the state's pollution control agency, are to be cut by $931,000 or 11 percent, without explanation. Support for the Department of Conservation which is responsible for watershed and fire protection, mineral resource conservation and oil, gas and geothermal protection, is to be reduced by $2.6 million, a cut of nearly 5 percent. This savings is to accomplished largely by cutting back forest ranger and conservation camp staff for watershed and fire protection. General Fund support for the Department of Navigation and Ocean Development will be reduced by nearly $1 million, principally by a sharp cut in grants for launching ramp construction and beach erosion control.

"I'm tired of playing this game. I think the Legislature should give him exactly what he asks for, then everybody could see who's kidding whom."

— Sen. Alfred E. Alquist

The budget for the Department of Parks and Recreation is to be reduced by $5.7 million or nearly 22 percent, but this results largely from a reduction of bond fund expenditure for grants to local agencies. Expenditures for the development and operation of the state park system, funded in major part from park fees, are to be increased by $1.5 million. Both operating costs and capital outlay by the Department of Water Resources are to be reduced sharply, apparently reflecting the fact that the water plan construction is nearing completion. Departmental operating costs are to be cut by $7.2 million with a reduction of more than 800 positions. Other budget cuts will affect the Powerplant Siting Program and the State Lands Division.

The Department of Fish and Game, which receives no general tax support, will increase its spending by nearly $1 million, although it will lose some fish and game management staff. The other agency which will increase its spending is the Water Resources Control Board. The board will receive about $220,000 in additional General Fund support and $800,000 in bond funds to be spent for water quality control activities and related planning and research.

Business

Seven state departments which deal with business matters are included within the Business and Transportation Agency: the Departments of Alcoholic Beverage Control, Banking, Corporations, Housing and Community Development, Insurance, Real Estate and Savings and Loan. Also included within this group are the Alcoholic Beverage Control Appeals Board and Riot and Civil Disorders Insurance. Altogether they are budgeted to spend $25.6 million in 1971-72, $1.2 million less than this year. The three departments which do not depend on General Fund support — Banking, Real Estate and Savings and Loan — will receive an increase of $0.5 million, however, with the General Fund cut of $1.7 million hitting Housing and Community Development (—$550,000) and Riot and Civil Disorders Insurance (—$1,350,000 hardest). The savings for Housing and Community Development is to be achieved by an $800,000 increase in reimbursements from unspecified sources.

Mental Hygiene

In the mental health field the budget would continue the shift from state mental hospitals to community programs. A total of $23.7 million has been added to reimbursements for community programs while state hospital support is to be reduced by $4.1 million, largely as a consequence of the proposed closing of DeWitt State Hospital in Placer County. Corresponding reductions are to be made in departmental administration, personnel training, and research. The state reimburses local mental health costs in the ratio of 90 percent state funds to 10 percent county funds for services approved by the Department of Mental Hygiene. Appropriations for this purpose have risen from $24.8 million in 1967-68 to $96.1 million with the 1971-72 budget.

STATE BUDGET TOTAL EXPENDITURES AND SOURCES OF FUNDING
($ Millions)

	Actual 1969-70	Estimated 1970-71	Proposed 1971-72	Change from 1970-71 Amount	Change from 1970-71 Percent
State Operations:					
General Fund	$1,315.0	$1,390.5	$1,410.8	$20.3	1.5%
Special Fund	345.6	395.1	407.4	12.3	3.1
Bond funds	—	0.8	1.6	0.8	100.0
Local Assistance					
General Fund	$3,046.5	$3,422.5	$3,454.7	$32.2	0.9%
Special funds	650.8	699.4	737.2	37.8	5.4
Bond funds	5.4	10.5	51.1	40.6	386.7
Capital Outlay:					
General Fund	$ 94.6	$ 77.5	$ 9.9	—$67.6	—87.2%
Special funds	522.4	308.4	350.1	41.7	13.6
Bond funds	321.5	409.5	315.9	—93.6	—22.8
TOTALS:					
General Fund	$4,456.1	$4,890.5	$4,875.4	—$15.1	—0.3%
Special funds	1,518.8	1,402.9	1,494.7	91.8	6.5
Bond funds	326.9	420.8	368.6	—52.2	—12.4
GRAND TOTALS, ALL FUNDS	$6,301.8	$6,714.2	$6,738.7	$24.5	0.4%

Education

Apportionments for public schools are budgeted in the amount of $1.5 billion for 1971-72, a reduction of $20.8 million from the current year. The estimate of need is based upon application of the existing apportionment formulas plus the amount added last year by the Legislature to offset inflation. It is believed that district assessed valuation will increase sufficiently to enable the districts themselves to raise more than enough revenue to meet the cost of projected enrollment. No new allowance is provided to offset inflation. This is certain to provoke a major controversy later in the legislative session.

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Support for compensatory education is to be increased by $28.6 million. Funds for the state school lunch programs are to go up from $43.3 million to $63.9 million and special aid for vocational education is to increase by $10.7 million. In order that the new Superintendent of Public Instruction may have a relatively free hand in reorganizing the Department of Education, the budget reassigns 394 consultant positions with a support cost of $9 million to a pool of positions to be reallocated as needed.

State support for the University of California is to be held at exactly the same level as this year, $337 million, despite a projected enrollment growth of 4,326 students. The Regents had asked for $375 million for 1971-72. The California State Colleges are budgeted to receive $316 million in state support, an increase of only $5 4 million over the present year, despite a projected enrollment increase of 18,525. The Trustees had asked for $369 million.

The total operating budget of the Board of Governors of the California Community Colleges is to be cut by $1 million from the current level of support, as a consequence of a reduction of $1,155,347 in equal opportunity program funds (State College EOP funds have been cut by $1.6 million.) Student aid funds administered by the State Scholarship and Loan Commission have been reduced by a total of approximately $4 million by cutting back the average amount of each scholarship award and eliminating any new graduate fellowships.

These reductions, together with the fact that no state funds are to be provided for University and State College capital outlay and salary increases, have aroused strongly expressed opposition from higher education officials. UC President Charles J. Hitch, State College Chancellor Glenn S. Dumke and Community College Chancellor Sidney W. Brossman have joined in attacking the budget provisions which they charge are grossly inadequate. Although they have made similar charges in the past with little effect on final budget decisions, it is possible that the Legislature will give more attention to their statements this year.

Brossman has stated that the 93 Community Colleges in California now "face their worst financial crisis since the depression," in large part because of the failure of the state to increase its contribution to rising college costs.

UC President Hitch reportedly is preparing to go to the Legislature and to the people of the state in an open fight for increased funds for the University. Hitch, who in the past has been notably sensitive to the Governor's powers in relation to his own, appears to be particularly concerned about the continued absence of state funds for UC construction and faculty salaries. "Decades of effort by many dedicated people have built a great university," he recently said to the Regents. "We, together, must find the means to obtain the financial support required to preserve quality education for future generations of Californians."

Tax Relief and Shared Revenues

Tax relief, which has become a major budget item only in the last few years, is budgeted at $344 million, an increase of $27 million. There are three tax relief programs: Senior Citiezns Property Tax Assistance, which provides rebates on local property taxes to homeowners who are at least 65 and have incomes under $3,350; Business Inventory Tax Relief, which reimburses counties for a 30 percent exemption of business inventories from property taxes; and Homeowners Property Tax Relief which reimburses local governments for the loss in property tax due to the state man-

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Analyst's Report

Legislative Analyst A. Alan Post released his analysis of the Governor's Budget on February 24th. Post noted that the budget reduces General Fund costs below those of the current year but argued it does not present the details of changes to permit several of the major cost reduction proposals and does not fully recognize the impact of inflation, unemployment and continuing population growth. Post estimates that the budget provides $425 million less than is necessary to continue state services at their current level.

In his analysis, Post recommends reductions totaling $180 million below the present level of service, but he also recommends substantial increases, including an $81.6 million salary increase for state employees, $30 million more for schools, $33 million more for the state colleges and University, and denial of the proposed $72 million transfer from the Teachers' Retirement Fund.

Among the Analyst's other major recommendations are:

- Creation of a Department of State Processing Services to be responsible for all EDP planning, management, equipment, and services, excluding UC, the state colleges and the Compensation Insurance Fund.
- An increase of $395,057 in support for the Public Utilities Commission staff.
- Reductions of $2,590,470 in the State Highway Patrol budget, largely by transfering officers from inspection to road patrol duties and hiring "civilians" for inspection jobs.
- A cut of $3,012,000 in prison costs based upon a reduction in the budget estimate of inmate population.
- Direct state administration of all welfare categorical aid programs, county general relief, and certification for food stamps and Medi-Cal benefits.
- Savings of $17.1 million to the state from proposed changes in AFDC eligibility standards regarding earned income and parent responsibility.
- A statewide property tax for public school support, mandatory consolidation of the smallest school districts, a revision of district tax rate ceilings based upon basic costs, and a cost-of-living factor in state school aid.
- An increase in state college tuition of $75 per year.
- Restoration of $2,853,000 in state scholarship and fellowship funds and $1,150,000 for community college aid to low income students.

Perhaps the most intriguing line in the Analyst's report is the one of page 174:

> "For the first time since the 1930's, the state in September 1971 will not have sufficient cash to meet its obligations."

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Willie Brown Discusses the Budget

Assemblyman Willie L. Brown, Jr. represents San Francisco's 18th District. He was first elected to the Assembly in 1964 and has played a prominent role in its affairs since. In 1970, when Jess Unruh gave up the minority party leadership, Brown was elected Democratic Whip. This January he was appointed by Speaker Moretti as chairman of the Assembly Ways and Means Committee, one of the most powerful posts in the Legislature. The Journal *interviewed Brown in his office on February 23rd.*

California Journal: What are your plans for the Ways and Means Committee as its new chairman? What plans do you have for changing its procedures?

Assemblyman Willie Brown: In terms of its operation, the Committee on Ways and Means is a difficult job, and I am not sure anybody can reform it. But we will try to reform it and make it as palatable and as interesting and as non-burdensome as possible. We will do that by imposing much of the responsibility on the staff of the committee.

The budget, for example, will be divided into six categories. These will be subject matter areas with a six or seven-man subcommittee handling that part of the budget. They will conduct their usual hearings, except that this time the hearings will not be the usual kind with just the agencies telling us why they think thus and so. They will be hearings that will be exposed to the public, and they will be as extensive as would be full committee hearings. Somebody has dubbed it "the road show," but we don't view it as a road show when you take, for an example, the state college budget and hold a hearing on the state college budget at Hayward State College and in the process have the agency heads from government come in and talk about student projections, enrollment, cost, professorial salaries, and positions. Then you have some reaction from the ordinary run-of-the-mill people who actually administer these institutions. That kind of information we do not now get in the budget hearings.

We also intend for the subcommittee to deal with substantive issues in the subject matter areas. In the past, Ways and Means has been operated so that the full committee dealt with the substance of questions, and the subcommittees dealt with the budget questions and only went on to other business when the budget questions were over. We intend to reform that process.

We do not intend, however, to have duplicate hearings — hearings before the subcommittees and then the same hearings before the full committee. We intend to avoid that by the subjects that we refer to subcommittees. For example, the voucher system for education would not be referred to the subcommittee on education which is headed by Leo Ryan. That would be a matter that has such public importance that it would only be heard one time before the entire Committee on Ways and Means. The same thing applies, let us say, to the teacher retirement measure, the oil depletion allowance, or with any of those other huge subject matter areas that have some partisan significance and some public awareness and high public interest and high visibility.

Journal: Will you go through the budget items first in these subcommittees or are you going to interweave some other legislation?

Brown: They will be interwoven. As the subjects come up we will not log-jam as we have done in the past in this house, making matters await the passage of the budget before they are considered. We will consider those measures first. If the Constitution prohibits us from passing them out, we will act on them but hold them for report purposes until after the budget has moved on. We will have done all the work on them, and the minute the budget passes on we will report those measures to the floor or report the action taken by the committee.

Journal: Will you hear some budget items twice? Are you going to hear state college items in Hayward and here in Sacramento later, or just once?

Brown: No, we don't intend to duplicate the hearings. We intend to have serious hearings on the road, so to speak, and not repeat a subject unless it is so big that we only cover a limited portion on the road.

For example, we will talk about a property tax relief fund in Ventura. That is a subject matter that can be resolved in Ventura, at the hearing in Ventura, and we intend to do that. There will be no further hearings about the property tax relief fund proposal because that would be duplicating the time and, I think, a misuse of public time and effort.

And, incidentally, these hearings outside of the Capitol will be conducted only when the Legislature is not officially in session, and when we are already paid for performing the services of legislators on Fridays and Saturdays.

Journal: Attendance of members at the Ways and Means subcommittee hearings has always been a problem. Will it be more of a problem on the road?

Brown: I don't think so. The public has never known about these subcommittees and how they operate, and so two guys have been making budgetary decisions on budgetary items and appropriation measures. That is not good. With public visibility and knowing that it is a seven-man committee — the one that opens in San Francisco with Carley Porter as chairman, let us say, which will discuss state employees' salaries — I think the state employees are so interested in that part of it, and I think the public will be so interested, that it behooves all of the membership to be there or to explain why they are not there, particularly when they are being paid whether they are there or not.

Journal: Will you take matters under submission rather than vote right on the spot?

Brown: We will not vote outside of the State Capitol, because we do not wish to be accused of having done it at a time when a number of the members did not have any input. We will conduct the vote in the same manner we always have, and that is here.

Journal: In recent years, Ways and Means' subcommittees have taken more and more items under submission. It is a fair assumption that this will at least continue.

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Brown: No, that is not a fair assumption. We will take things under submission only if there is some reason that we should take them under submission. The Speaker has indicated that he desires to have a measure decided upon one way or the other at one hearing so that the public is given a fair opportunity to know the outcome. If a man comes up with testimony on a bill on a certain day, it will be impossible for me to get that bill carried on to another day. We are going to hear that bill, and we are going to make a decision on that bill while that person who has some interest in the bill is here. There is no reason to hide what we intend to do with that measure. If the measure technically is not correct, or if there is some other extenuating circumstance, okay, but the committee will have to make a case of why a measure ought to be taken under submission, or not be voted upon on that date, or to be continued.

Journal: That goes for budget bill items, too?

Brown: That goes for everything.

Journal: Do you believe that it is possible to balance the 1971-72 budget without a tax increase?

Brown: I would argue that as the budget is currently organized it is impossible to honestly balance that budget without raising some additional revenue from that source. We cannot pass a budget out that relies upon certain rules and regulations being adopted by the Department of Health, Education, and Welfare in order to make it balance. If they don't pass these rules and accept our version and interpretation of, let us say, the welfare proposal, then the budget isn't balanced, and we must come back with a deficiency appropriation in order to correct what we thought was going to happen. I don't think a budget ought to be passed on that basis.

In addition, I don't think you can balance a budget by taking the teacher retirement money and using it for current operating expenses. That is rather idiotic. There was a formula set up to make the retirement fund solvent, and you cannot take the $72 million out now and put it into current operating funds. I also think it is wrong to try to balance the budget by absorbing a number of special funds, like the Small Craft Harbors Fund, and those one-time funds. That is wrong to do — to try to balance the budget to get you through one year, without any real stability being built into the whole process.

Journal: Who is going to introduce the necessary revenue bill?

Brown: Everybody is playing financial chicken at the moment. The Governor is trying to get the political advantage of saying, "I didn't want a tax increase, but the Democrats forced me to accept a tax increase for balancing the budget purposes. If they had agreed to all the suppositions, then we could have made it without the tax increase." As for the Democrats, nobody wishes to be known as the person who raised somebody's taxes, but it is clear that if anybody is going to be responsible, and I don't intend to be part of an administration that is irresponsible, we may have to take the step to say, "you have been lying all the time; this is the only way we know to do it — you give us no alternative." And then the Governor is going to come out and go on television to do his bit.

Journal: Last year when the subcommittees had gone through all their hearings and the budget had gone to the full committee and had been passed, then the Governor came up with revised revenues. The whole thing had to be done all over again. How do you propose to deal with that possibility this year?

Brown: I think you can do it in two ways. You can put the subcommittees on the road and then adopt the budget on the basis of what they said on the road. I think that is the only way you can get the truth out of those guys because their decision-making is so controlled by the Governor's political image that the interpretation placed upon things is sometimes almost illogical. For an example, I know that there was a deliberate underestimate of the cost of the Medi-Cal program — absolute underestimating. I think that it was deliberate to assume that there would be an increase in the gross national product and a decrease in unemployment in the last quarter of 1970. There were no signs to justify that kind of conclusion. The projected use of the Medi-Cal fund did not take this into account. As a matter of fact, it went just in reverse. They said there would be fewer people on the rolls and that was wrong. We intend to put these people under oath, if necessary, in order to pursue the truth, and I think that is the only way we can avoid writing a budget based upon figures that change on the basis of the political whims.

Hugo

Journal: Do you see any possibility for the Senate Finance and Ways and Means Committees getting together and holding consolidated hearings on some of these matters? Do you find this proposal interesting?

Brown: I do find it exciting. As a matter of fact, it has been talked about this year and Randy Collier's people have put out some feelers to find out whether or not that would be possible. I think it would be, and I think it would be very helpful.

For an example, I am sorry that we didn't work it out so that when Alan Post presented his initial analysis of the budget we could have had a joint session with Senate Finance. That would have had us all on the same track. I will try to do that with the revenue projections. I think the revenue projections are so important to the whole process that they ought to be done one time so that you won't have two differnt versions of the reports.

I think we ought to have the Department of Finance talk first about their revenue projections, then I think we ought to have State Board of Equalization representatives talk, then I think we ought to have Flournoy interpret both their sets of figures. And then I think we ought to have Alan Post in to give us the honest, objective appraisal of what they said. Then I think we ought to bring in some outside financial experts to tell us the factors on which they base these revenue estimates which do not make sense and are irrational. I think then we may be able to be in an intelligent position. But we should do it all at one time. The Senate ought not to have one version of it and we have another so that we are at odds on figures, because in the pursuit of the budgetary process, we will be moving toward one bill.

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Students Push for Campus Child Care Centers

To those who still think of college students as carefree young men and women, just barely out of high school, it is difficult to imagine that the establishment of child care centers should become one of the most pressing current campus issues. The mere suggestion that this is so, in fact, is likely to produce a nervous snicker among middle-aged alumni.

Yet the demand for low-cost campus child care centers promises to become, if thwarted, one of the most explosive campus causes of the next few years. Behind this demand are two facts. The first is that a large proportion of today's students, particularly those enrolled at the large urban campuses, are parents of young children. For example, at California State College at Los Angeles, where the average student age is 27, a 1965 survey indicated that 7,000 of its students had children between two and one-half and five years old. A survey last year at UC Berkeley revealed some 2,000 children of student parents, of which half had no regular form of day care. And this is not the same as it was 20 years ago when veterans were enrolled in large numbers — today both parents are students.

Campus Exclusiveness

The second fact is that a large number of students are concerned that higher education continues to be "an elite social service" from which many persons of low income and minority group backgrounds are excluded — and which threatens to exclude students from middle class families who do not fit into the traditional (pre-1945) student mold.

The first campus child care center in California was established at California State College, Los Angeles, in 1968, and the first University child care facility at UC Berkeley a year later. Housed in a two-bedroom house adjacent to the campus, the Los Angeles program is under the jurisdiction of the Associated Students Board of Commissioners and accommodates 63 children each week on a drop-in basis, according to the parents' class schedules. The center operates on $20,000 a year, $10,000 from the Associated Students' Fund and $10,000 from the $.40 per hour parents pay for the service. (This comes to $317 a year per child.) There has been widespread campus support for the program, and the students have already established $30,000 in an Associated Students fund earmarked for a $150,000 child care center which would house 150-200 children at one time and serve three times that many on a drop-in basis.

Berkeley Center

The Berkeley child care center is established in Senior Women's Hall, where, students say, a loophole in campus policy allowed the women living in the hall to have the children as "guests' of the hall. The present project accommodates 35 children on a drop-in basis. The center is staffed by parents, some of whom receive the care free, while others pay up to $.50 an hour, depending on their monthly income. The project was granted federal funding for 1970-71 to operate three centers with a total capacity of 110 children, but so far has been unable to secure space from the university.

In the last two years, the idea has spread rapidly to other campuses and now some form of child care has been started or is planned at eight campuses of the University (San Francisco being the exception), seven of the 19 state college campuses, and at least three community colleges. On February 23rd the state college Trustees gave approval to the use of campus facilities at San Francisco and Sacramento State Colleges.

The students charge that they have met determined opposition from administrators on several campuses while receiving effective cooperation elsewhere. Opposition, they say, takes the form either of an unwillingness to assign to them unused space or the provision of a high-cost, low capacity center which is of no real benefit. Recently state college students became concerned that the Trustees intended to block their programs by demanding the preparation of highly restrictive guidelines, but have since been assured by the Chancellor's office that they will receive full cooperation.

Opposition has arisen from officials who feel that campus child care centers represent a relatively low priority demand for campus space and operating funds already in short supply. Why, they say, should students have this service while others do not. Moreover, it is clear that none of the public four-year institutions will have state money which can be diverted from hard-pressed instructional programs to such services. And as the institutions lay greater claims to student funds (e.g., University plans to use student tuition revenues to finance campus construction), there is likely to be a clash over those funds as well.

Lobbying for Child Care

In December, 1970, after a two-day child care conference at UC Berkeley, students formed a Liaison Committee for Child Care Centers in Higher Education to coordinate their efforts. The committee, now composed of representatives from the nine UC campuses and nine other institutions, disseminates information on state and federal legislation which might affect the funding status of child care programs and plans to lobby actively in Sacramento for favorable state legislation. Sue Brock of Berkeley is the coordinator.

In 1968, Assemblyman John Vasconcellos got a campus child care center bill through both Houses only to have it vetoed by the Governor. In 1970, Senator Mervyn Dymally introduced two bills, SB 909 and SB 1148, directing the Trustees and the Regents to set up free, full-time day care centers for the pre-school children of students, faculty and staff. The bills were referred to interim study, but no hearings were held.

This year, Assemblywoman Yvonne Braithwaite has introduced an expanded version of the Dymally bills extending coverage to older children and requiring that pre-school education be provided. The bills carry no appropriation, however, and there is no indication of the possible source of funds.

Liaison Committee and students say that they will not seek state financial support this year (which they know they cannot get anyway) but only the opportunity to apply their own student funds and any federal assistance, where they are needed. What they want from Sacramento is pressure on the campuses and the governing boards to cooperate with students in this effort.

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The New Secretary of State

The fabled open door from the Secretary of State's private office to the public hallways of the Capitol is closed now, but it doesn't appear that the activities of the new Secretary of State are going to be any less visible than those of his predecessor. On the contrary, Edmund G. Brown, Jr., who took office only two months ago, has already made his presence very noticeable. Shortly after taking office Brown filed suit against the opponents of Proposition 18 — the gas tax amendment — because of their alleged failure to file an adequate campaign statement. Subsequently, two oil companies identified themselves as the donors of $65,000 which had been reported as anonymous campaign contributions. The case is still pending.

Brown, the 32-year-old son of former Governor Edmund G. "Pat" Brown, is known as Jerry to his friends. He was elected last November by a 300,000 vote margin over Republican James Flournoy in a race in which someone else's name was a major strength for each candidate.

Brown attended college at the University of Santa Clara but in 1956 decided to enter seminary in preparation for the Jesuit priesthood. However, after four years at the Jesuit Novitiate in Los Gatos, he sought release from his vows and entered UC Berkeley as a Latin and Greek major. Graduating in 1961, Brown went to Yale Law School and received his LL.B. in 1964. Brief stints as a law clerk to California Supreme Court Associate Justice Mathew O. Tobriner and on the staff of the Chile-California project followed.

Brown then worked for the law firm of Tuttle and Taylor in Los Angeles, handling business litigation principally and some election law until the beginning of his campaign for Secretary of State. While he was practicing law he also ran successfully for the Los Angeles City Community College Board, a position which he vacated when he became Secretary of State.

The Jordan Dynasty

The history of the office of Secretary of State sometimes appears to be the history of the Jordan family. Brown's classicism comes through as he delights in discussing that history. As Brown tells it, the Office of Secretary of State used to be a great deal more powerful, having responsibility for a number of the executive functions of state government. However, Frank C. Jordan, who was elected in 1910 at the same time as Hiram Johnson, was apparently allied with the Southern Pacific Railroad, Johnson's chief enemy, and Johnson proceeded to strip the office of much of its power.

Two enormous pictures of Yosemite Falls and a Giant Sequoia which hang in the office reception area are said to be gifts from the Southern Pacific to Jordan and from him to the state. Frank C. Jordan served as Secretary of State until 1940. His son, Frank M. Jordan, served from 1942 until his death last year.

The chief responsibilities of the $35,000-a-year Secretary of State include the following:

Elections. As the state's chief election officer, the Secretary of State works closely with city clerks and county registrars of voters to interpret and enforce the election laws. The office also issues and receives the various documents related to state elections, including filings for candidacy, certificates of election, and statements of campaign expenditures. The Secretary of State also tabulates the vote for statewide offices.
offices.

Corporate Filing. The Secretary of State is required to approve documents relating to the incorporation, dissolution and change of all corporations chartered to operate in California.

Uniform Commercial Code. Established in 1965, an automated facility centralizes the filing of the financing statements of lenders and sellers who hold an interest in personal property involved in secured transactions.

Archives. The state archives contain voluminous documents relating to the history and government of California back to the days of Spanish rule. Dr. W. N. Davis, Jr. is the nationally renowned state archivist.

Notaries Public. Since 1967 the Secretary of State has responsibility for granting or refusing notary public commissions. There are some 100,000 in the state.

Miscellaneous. Numerous other documents are processed through the Secretary of State's office, including deeds to state lands, claims to names and insignia of organizations, individual name-change court orders, oaths of office, boundaries of public districts, administrative regulations of state agencies, and trademarks. The Secretary of State is also the guardian of the official state seal.

Office Organization

The organization and operation of the office is undergoing change at this time. The two top staff aides, who carry the title of Deputy Secretary of State, are appointees exempt from the civil service. Richard Maulin, 30, has primary responsibility for electronic data processing and elections. He is due to receive his Ph.D. shortly in political science from UCLA. Since 1965 he has worked in the social science department of the Rand Corporation specializing in Latin American and national security affairs.

Tom Quinn, 26, was Brown's campaign manager. He graduated from Northwestern University in 1965 and worked for ABC news as a reporter for a year before joining a local wire service in Los Angeles. In 1967 he founded Radio News West serving 45 stations in California. He joined the campaign in early 1970. Quinn will handle press and have chief responsibility in all areas except elections and EDP.

Brown has created a new civil service position to provide him with special legal assistance in the areas of his responsibility. This position of Special Counsel is held by Dan Lowenstein. Lowenstein, 27, received his B.A. from Yale and his law degree from Harvard where he was on the law review. He worked for CRLA in Modesto before coming to Sacramento in February.

Edmund G. Brown Jr. is obviously fascinated with the office he holds and is impatiently exploring its every relic and responsibility. While it is all but certain that he does not intend to be Secretary of State all his life, it is evident that he intends to enjoy the job.

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INTERVIEW

Edmund G. Brown Jr. Keeps Office of Secretary of State in Public Eye

California Journal *interviewed Edmund G. Brown Jr., California's new 32 year-old Secretary of State, in his office on February 23rd. The full text of the interview has been edited to fit these pages.*

California Journal: Can you briefly sketch for us your political career up to this point? How did you start in politics?

Edmund G. Brown Jr.: I started in politics with the peace slate back in October 1967 when they launched the first electoral effort at retiring President Johnson. This was prior to McCarthy's entry into the race. After the McCarthy campaign, I ran for the Junior College Board in Los Angeles and then I came up here to Sacramento.

Journal: Why did you choose to run for Secretary of State rather than for any other office?

Brown: In my law practice, I had occasion to deal with the Secretary of State's office in the corporate area and in some election law cases, and as I got more into the whole field of election law, I got very interested in campaign reporting, campaign financing, and the whole network of electoral provisions, especially with respect to registration. So all these developed an interest, and when 1970 came along I decided to seek the office.

Journal: Did it look like you had a better chance to win the Secretary of State office than another office?

Brown: I think that's a fair observation. I think that it is a fact that can't be discounted.

Journal: Now that you are Secretary of State, what do you see as the principle functions of the office holder?

Brown: The office has a variety of functions, principally the election area is what I focus on. I think the office ought to provide more leadership to the local election officials, the registrar, and the county clerks and the city clerks, with respect to elections. We have numerous inquiries about election questions, procedures, mechanics, interpretation of the election law, and this office has been answering these inquiries for a number of years. I think we can formalize that by presenting written interpretations of the election law for general use and guidance. I think that before the Legislature this office can act to focus the experience of the counties and our own office in the conduct of elections. Principally I'm concerned with the low registration, and there will be efforts in this legislative session to reduce the 54-day cut-off period to as close to election day as possible.

Journal: Isn't a large part of the problem now that a great many people who are registered do not vote and therefore are stricken from the rolls?

Brown: That's one problem, but there are now between six and seven million eligible Californians who are not registered to vote. So in addition to those who are simply apathetic, there are a number who are caught in an intricate set of obstacles that the residency and the 54-day cut-off requirements provide. I think these can be simplified and will be simplified. I would also suggest that registration be made possible by mail to whatever county you wish to register in, as long as that is your true residence.

I think we have to look into vote by mail. Also we need a more aggressive manner toward registration, to get deputy registrars and perhaps provide financial incentives, especially in low-income communities.

Also we should consider providing materials for Spanish-speaking voters, and make election day a holiday. These are all ideas to help increase voting. We are never going to get 100 percent, but we can do a lot better than 50 or 60 percent where we are now.

That is the election area. We are also looking into possible reform of the whole election code, the whole framework of which needs a more rational scheme than it possesses now.

Journal: In terms of the election code, you mean making it clearer?

Brown: I have a special counsel now who is working on answering the inquiries that come almost on a daily basis into this office from the various election officials. He's answering them, but he is also working to clear up any ambiguities and to make parts of the law consistent. For example, the primary report has to be under penalty of perjury, but the general election report does not. There are inconsistencies between the direct primary law and the Presidential primary law. There are sections that say the direct law is supposed to be applied where applicable and it isn't clear where. There are facsimilies in the election code that are then described in terms that don't conform to what the facsimile displays.

Piecemeal, we are going to provide solutions to the most glaring of the errors, but also I would hope that the entire code can be codified, either by a legislatively appointed commission or within this office, whatever is most appropriate under the circumstances.

In addition to the campaign reporting, I am interested in the whole problem of campaign finance. I have a petition pending before the Federal Communications Commission seeking under their rule-making authority that free prime time be given to major candidates. I had it drawn up with a view toward statewide races, but now that they failed to act on it, I am going to modify it and follow it through for '72 because I don't

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see any reason why Presidential candidates should have to pay for their television time.

Getting outside the election area, we have a whole corporate program. Under the Uniform Commercial Code, financing statements are filed in this office, and we get probably a thousand transactions a day. California is the leading state in the storage and retrieval of credit information, and I want to make sure that the program doesn't die on the vine through lack of support or innovation.

Journal: Your predecessors have argued that the Secretary of State is merely the recipient of campaign contribution filings and he puts them away and that's it.

Brown: I am aware of that argument, but I think it distorts the intention of the draftsman of the legislation. When Mr. Shanahan, known incidentally as the Tall Sycamore of Shasta County, introduced the bill in 1893, he clearly intended that these be intelligible statements that people could understand and that the amounts and the names and the nature of the items referred to be specified on the report. All the other people involved at that time and for many years thereafter also followed that interpretation. And the only way that can really be enforced is for the Secretary of State to require that the letter of the law be conformed with.

Hugo

In the corporate area we require that the law be complied with. The law specifies that each corporation have a principle place of business, that there be three incorporators, that it have a specific purpose, and many other provisions that refer to subsequent amendments. If on the face of the document these provisions of the law are not met then we reject the document, send it back and tell them to correct it. I think that same policy would logically apply in the area of campaign filing. I think it did until the middle of the 1940's when it was abruptly changed.

Journal: Abruptly? Simply a decision at that time not to enforce it any more?

Brown: No, I think it was a decision on the part of the political figures of that time not to report their finance list. As the volume of money increased, the motivation to report declined, and at some point it resulted in a situation where we now have this very widespread practice of incomplete filing.

Actually people don't understand what the law is. Some people file reports that list 132 contributors but do not list their names, or they just file a whole variety of different reports. I think people think there is a need to clarify just what the ground rules are. Most people are anxious to comply with the law, and yet there has been no authoritative guideline as to just what the law requires.

Journal: Would you change the reporting dates?

Brown: I can't change the reporting dates, that is a matter for the Legislature. Under the government code there is provision for reporting all contributions under $500 twenty to thirty days before the election. I think that's a step in the right direction. If you want to have complete reports you must have one treasurer and one authorized bank account where all money flows in both directions. Even if you have pre-election filing, as long as we have the number of committees that we now have, there is no real way of checking when the funds were received. Until we have a law specifying a single authorized treasurer, I don't know if we can improve the pre-election filing.

Journal: In terms of legislative programming in any of these areas, are you going to have a package of legislation that is going to be identified as yours?

Brown: Yes, in the election area. I'm working with members of the Assembly leadership in trying to fashion some kind of election reform. It principally deals with the registration area. I would also like to see a tax credit allowed for campaign contributions to encourage small donors. How much chance that has, I don't know. Right now, I think that surveys show that only about 12 percent of the voters contribute to campaign and that most of the money comes in rather large segments. It has been reported that the gubernatorial campaigns four years ago received half to three-fourths of the contributions in segments in excess of $5,000. They say it's easier to raise your money wholesale than retail. I think that's very true.

Journal: Would your petition give free time to minor candidates as well?

Brown: Yes. That's another reason why I think the qualifications for minor parties ought to be made more rational.

Journal: You mean tougher?

Brown: Yes, I think they should be tougher. I don't think a party should be able to stay on the ballot if it only has two percent of the voters supporting it. I think it ought to have a much higher constituency. I think the requirements for getting on the ballot ought to be about the same. I think they are reasonable, but once on the ballot, after a suitable period of time, that party should demonstrate electoral strength or it should be stricken from the ballot. Whether it should be two years, four years, or six years, and whether is should be ten or seven or five percent, I don't know yet, but I'm studying that.

Journal: You are the lone Democrat among the constitutional officers of the state. What kind of a position does that put you in? Are you the titular head of the party?

Brown: Whenever they ask about titular leaders, I always think of the titular bishops that are given the archdioces of vanished cities in Asia Minor: we both seem to have about the same amount of authority.

I don't think there are titular leaders in the party. I think the Democratic party has four or five people obviously occupying the most important positions in the party structure and that together we'll all work to build the party. My role in the party, of course, is I'm going to be working to make sure we get a President elected in '72. I'm working on registration and fund raising.

I think in party activities it is pretty much the same as for any other leader. I don't have the same role as legislators because that's not really what I'm doing, that's not my job. Just as John Tunney and Alan Cranston help out the party by going to party functions, by trying to raise money, and developing good candidates, if we can find them, exercising a voice in the development of policy, I do the same thing.

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Voucher Experiments Are Proposed

BY DENIS P. DOYLE

Experimentation with education vouchers or the "voucher plan" to finance the education of elementary and secondary students has suddenly become a real possibility in California. No longer consigned solely to theory and speculation, vouchers are being discussed as a serious alternative, on a trial basis, to the existing pattern of state support for public education.

Although the voucher bill introduced in the Assembly last session received little support, the Senate and Assembly Education Committees have held interim hearings on education vouchers, and new legislation has been introduced in the 1971 session. Governor Reagan has also indicated continuing interest in a voucher demonstration project, most recently in his State of the State message. In addition, the U.S. Office of Economic Opportunity has announced plans to sponsor a major nationwide voucher demonstration project. California is high on the list of states likely to receive grants for planning and demonstration.

Proponents and opponents agree that a functioning voucher system would radically alter the nature and organization of public education. But beyond this the dialogue breaks down. Because voucher proposals touch upon fundamental questions of social organization and the distribution of educational power and resources, public discussions have been emotionally charged, and the issues have become muddied rather than clarified.

Higher Education Examples

Basically, a voucher plan would distribute public money to each child's parents or guardian who would then pay the money to a school for the child's education. The school support would follow the student to the school, rather than going directly to the school. Although untried at the elementary and secondary levels, this approach is well established in higher education. The outstanding example, of course, is the G.I. Bill. It is also common in large-scale state scholarship programs such as those in New York and California which supplement the basic system of public higher education by making awards to students, enabling them to attend the college of their choice. Similarly, nationwide scholarship programs, such as the Merit and Woodrow Wilson programs, have been designed around the student rather than around the school.

The rationale in higher education is that aid in this form not only helps support private colleges but also gives the student a free choice of the institution he wishes to attend, in public or private, with a minimum of bureaucratic intervention. Colleges and universities with G.I. Bill, state scholarship and Merit Scholarship students "earn" the award funds by attracting the students. This is essentially what is being proposed at the elementary and secondary levels as well.

Denis P. Doyle is a program director at the Education Development Center, Harvard University. He formerly was consultant to the Legislature's Joint Committee on Teacher Credentials.

Supporters are confident that children and their parents are best able to assess the local schools in relation to their own educational interests. Moreover making such judgments will force the schools into long delayed reforms which experience has shown can be obtained in no other way. Opponents, on the other hand, maintain that left to their own devices, parents will not be able to make rational choices. They will not have adequate information on which to base such choices and, as a consequence, will be subject to all sorts of hucksterism. Opponents are particularly concerned about the ability of the poor and ethnic minorities to make informed decisions.

The strength of the opposition to the voucher plan became apparent last October when Governor Reagan leaked word that his administration was interested in the concept. Among the organizations which expressed their unequivocal opposition at that time, as well as in the subsequent legislative hearings, were the California Teachers Association, the California School Boards Association, the California Association of School Administrators, and the Americal Civil Liberties Union. State Superintendent of Public Instruction Wilson Riles has also made it clear that he does not favor the idea.

The issues of church-state separation and economic, racial, and ethnic segregation all figure prominently in the debate about vouchers. Even a thoughtful opponent such as Gordon Winton, lobbyist for the California School Administrators, charges that vouchers "would destroy public education as we know it." Many supporters of the voucher plan might agree with this as far as it goes, but they would also argue that the public-private issue is scarcely relevant.

Public and Private

For example, Christopher Jencks of the Harvard Graduate School of Education, and one of the plan's most persuasive advocates, maintains that the traditional distinction between public and private, which has been based on governance, is no longer valid. Neighborhood schools, he points out, are called "public" even though attendance is geographically restricted. A student is eligible for admission only if his family can pay the admission price to the neighborhood. For better schools this usually means white skin and a down payment on a $30,000 house.

Conversely, "private" schools are usually thought of as those that are privately managed, even though they may be more open in basic ways than public schools. It is noteworthy that many private schools have been leaders in racial and ethnic integration, and some in socio-economic integration, as well.

Obviously, from this perspective the question of "the destruction of the public schools" is more complex than it appears at first glance. It is apparent, for instance, that vouchers could be a device to secure greater rather than less integration. By changing the reason for attendance at a given school from an accident of geography (the neighborhood) to some articulated edu-

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cational reason, it would be possible to reduce the overlap between social and economic problems.

The neighborhood school under a voucher system would cease to be a central issue; parents who value commuting convenience over other educational benefits might opt for the nearest school (or, more importantly, through the threat of withholding their vouchers, they might exert pressure to change the educational offering of the nearest school). Parents who have other educational preferences could express them by sending their children to other schools.

Integration

Integration could then be accomplished directly. The state could declare as a matter of policy (as it must under the *Brown vs. Board of Education* decision) that to be eligible to negotiate a voucher a school must be integrated. Under such a provision the issue would no longer be *de facto* segregation, but would return to the more explicit and manageable question of *de jure* segregation. Language requiring integration was added to the major voucher bill of 1970, AB 2471 (Campbell), in recognition of the attempt in southern states to use vouchers to frustrate integration, even though the courts have consistently found such schemes to be illegal.

The notion that schools would necessarily fall out along racial lines, even with neighborhood attendance areas eliminated, is open to serious question on other grounds. Edgar Friedenberg of Buffalo University has summarized the issue in these words:

> One argument advanced against this plan is that white-racist parents would use it to achieve *de facto* segregation. But I think this is mistaken. What white parents flee to the suburbs to avoid, I am convinced, is not Negro children, but the often demoralized and occasionally brutal personnel who have been assigned to, or permitted to accumulate in such schools, and the atmosphere of hostility and contempt for students that pervades them. Under a system of adequately subsidized free choice, the black students, surely, would move, too, unless their school became a decent place. Black people have no preference for bad schools when they are afforded the means to attend better ones — the proportion of the relatively small group of middle-class Negroes who send their children to private schools is far higher than the proportion of middle-class whites who do so. But the loss of the financial support from the state that their withdrawal would occasion is a powerful sanction against schools which mistreat them .

Interestingly, education vouchers as a concept have not yet become a partisan issue. Supporters and opponents are drawn from left, center, and right without apparent ideological consistency. As the debate sharpens, however, specific voucher proposals have begun to reflect the political views of their authors: Milton Friedman, the University of Chicago "free market" economist, advocates an unregulated free market; Christopher Jencks proposes a carefully regulated educational market with carefully structured educational standards. Nevertheless, voucher supporters and opponents have not formed interest groups in relation to specific proposals. Generally speaking, supporters are anxious to try the voucher idea, and are not wedded to a fixed expression of it. Similarly, opponents see any voucher system as essentially hostile to public education.

In late 1969 the Office of Economic Opportunity commissioned a major study of the concept of education vouchers. The final report was submitted in January, 1971, and O.E.O. is now assessing the feasibility of field testing one of several voucher models. O.E.O. has received planning grant requests from five cities: Gary, Indiana; Seattle, Washington; and San Francisco, Alum Rock, and San Diego, California. The Alum Rock project has been approved in Washington and an announcement on the other recipients is expected shortly. In the meantime, legislation to broaden the base of public support for non-public education has been introduced in several states, including California, Connecticut, New York, Massachusetts, Pennsylvania, Illinois and Ohio.

"There is always need for innovation in any system; education must be no exception. There are those who see the 'voucher plan' as the answer to making schools more responsive. There are others who see it as a threat of unutterable evil. No one on either side seems to have facts upon which to base his often emotional stand. Why shouldn't we undertake some pilot tests in selected districts and thus introduce some facts into the debate?"

— Governor Reagan

In the event of a publicly financed field test, enabling legislation will be required for both practical and political reasons. The California Constitution prohibits aid to "non-public" schools, and opponents see vouchers in that context, although proponents maintain that the primary recipient is the student and not the school. Additionally, there is a need to respond to various existing statutory requirements which apply to public schools. Curriculum, school apportionment formulas, compulsory attendance, and certification would all be affected by a functioning voucher program.

Most important, the issue of vouchers raises fundamental questions about the distribution of power and resources and proposes the fundamental reorganization of major social institutions. As the Legislature is the school board of last resort, it is both appropriate and necessary that the voucher issue be thoroughly debated there.

Organized Support

There is as yet very little organized support for the voucher plan. A small San Francisco group named Community Coalition on Education is the only one to have surfaced to date. Nevertheless, a number of legislators who find the concept interesting on its face are sounding their constituents through carefully worded press releases to determine what the response may be in their districts. That response is likely to be a major factor in Legislative action this session.

Assemblyman Leo Ryan has introduced the first legislation pertaining to the voucher plan, AB 29 and AB 150 (which are nearly identical). Entitled the Elementary Demonstration Scholarship Act, the bills authorize school districts to participate in federally sponsored "education scholarship" (voucher) programs for elementary school pupils. Ryan has also introduced a constitutional amendent, ACA 9, which deletes constitutional provisions regarding support of public schools and requires the Superintendent of Public Instruction to issue vouchers to parents of school-age children for partial payment of their education costs.

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Public Utility Commission Changes

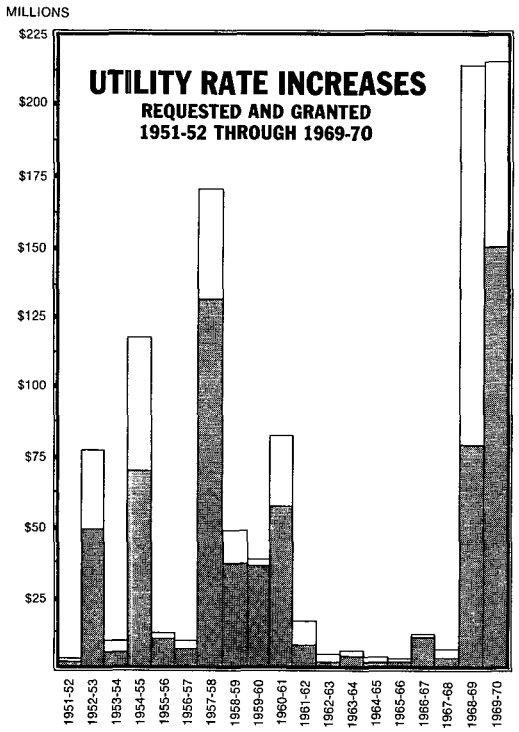
"In some form or other, nearly every governmental problem that involves the health, the happiness, or the prosperity of the State has arisen because some private interest has intervened or sought for its own gain to exploit either the resources or the politics of the state . . ."

With these words at his 1911 inauguration, Governor Hiram Johnson opened his drive to obtain effective control over California's railroads, which in the view of many Californians of the time had gained a stranglehold on the economy and on the government of the state. Within little more than a year, Johnson and his allies in the state Senate brought about a dramatic set of reforms, first giving the Railroad Commission effective power to establish and investigate railroad rates, and then expanding that authority to encompass all privately owned utilities. Within three months after the Public Utilities Act of 1912 went into effect, the Railroad Commission was able to save the public $2 million in railway charges.

The objective of the new laws was not anti-business. It was to curb abuses on the part of the state's wealthiest economic units in order to give all business and industry a better chance to prosper. This concept has remained the basic guideline in California for transportation and utility regulation, which is now in the hands of the Public Utilities Commission (successor to the Railroad Commission) under the terms of a 1946 constitutional amendment.

Public Utilities

Today the California Public Utilities Commission regulates the rates and service of more than 1,500 privately owned utility and transportation companies and licenses some 10,000 carriers of goods and passengers.



Those subject to PUC regulation include gas, electricity, water, sewer, telephone and telegraph companies, as well as rairoads, airlines, buses, trucks, and vessels which transport passengers or freight in intrastate commerce, and warehousing, wharfinger and pipeline companies. Along with a large number of relatively small firms, there are several very large ones: Pacific Telephone and Telegraph, Southern California Edison, Pacific Gas and Electric, San Diego Gas and Electric, and General Telephone.

The principal functions of the PUC can be summarized as follows:

- To establish and regulate the rates, levels of service, safety standards, and financial structure of the privately owned gas, electric, water and communications utilities.
- To establish and regulate the rates and financing, standards of service, and safety standards for intrastate transportation and warehouse services of railroads, trucking firms, airlines, and shipping firms (which are also classified as public utilities).
- To license all air and highway carriers operating in California (10,000 as of June 30, 1970).
- To represent the people of California in rate and service proceedings before federal regulatory agencies.

It is the rate setting authority that has the most direct public impact and which has become the primary function of the commission. Because of this authority, the Public Utilities Commission probably has a larger effect on the state's economy and each individual's spending than any other state agency (except, of course, the Legislature). In the case of gas and electric services, the privately owned utilities are granted monopoly status in exchange for regulation intended to insure reasonable and nondiscriminatory rates for their services. This mainly comes down to accepting a rate of return on their investment which the PUC believes sufficient to enable them to continue to provide an adequate level of service to all who seek it. In the case of transportation, where there is a limited amount of competition, the PUC establishes the minimum rates and also enforces rate schedules among competing carriers of the same type.

To carry out these functions, the commission has a staff of some 755 positions which includes engineers, accountants, attorneys, safety experts and clerical personnel. The staff is organized into six divisions: the Finance and Accountants, Transportation, and Utility Divisions (which are operational) and the Administrative, Examiner, and Legal Divisions (which are supportive). Many of the staff members have extensive experience in their fields, and PUC critics and supporters alike agree that the commission has been able to attract well-qualified personnel.

Funding

The commission is supported from the General Fund and the Transportation Rate Fund. The Transportation Rate Fund pays the cost of regulating carriers engaged in the intrastate transportation of goods. It is presently funded by one-quarter of one percent of

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the gross operating revenues of motor and freight carriers, plus a $4 quarterly filing fee. The General Fund supports the remainder (about 53 percent) of the commission's annual budget. For 1971-72 the Governor's Budget provides $12,408,963, or $321,861 less than expenditures for 1970-71.

The majority of the commission's deliberations take the form of formal hearings. A utility which seeks a change in its rate schedule must file an application for a rate increase with the commission (the PUC staff may also file for rate changes). A public hearing is then scheduled in which the firm's representatives first state their case and then the PUC staff presents its position. It is fundamental to these proceedings that existing rates, once established, are presumed to be fair and reasonable. If a utility files for an increase, the burden is on the utility to prove that additional income is necessary.

A commissioner and a hearing examiner are appointed to conduct each hearing and also to question witnesses, but because of the large number of cases before the commission, it commonly happens that the commissioner assigned to the case cannot be present. Company officials testify under oath regarding the utility's investments, revenues, operating costs, and proposed rates. They may then be cross-examined by the commission's attorneys, representing what they believe to be the public interest, and by representatives of the public and concerned organizations. It is the responsibility of the commission staff to challenge the accuracy or justification of any statement or claim and to testify in turn on behalf of the rate-paying public.

The decision in each case is made upon the written transcript of the case. The commissioner assigned to the case prepares a recommended decision which he then circulates among the other four, seeking the concurrence of at least two others. The staff recommendation is also known to the commissioners.

The commission's decision may be to deny the application entirely, to grant a partial increase or to grant the full increase. The commission may also order such improvements in services or facilities as appear reasonable. Petition for rehearing of any case, or for further hearing, may be made to the commission by any party to a proceeding. If this petition is denied, the decision may be taken to the California Supreme Court, but no other court, state agency, or official has jurisdiction to review a decision or order of the commission.

Current controversy regarding the PUC stems from what all parties agree is a change in the commission's attitude concerning proposed rate increases. This change is expressed by the commission itself in recent decisions and, in the opinion of critics, is also demonstrated by newly proposed changes in staff and procedures.

In December 1970 the commission president, John Vukasin, announced that there would be a new staff policy calling for the periodic rotation of staff members from one assignment to another within their general area of professional competency. An accountant with considerable experience in electric utilities might be shifted, for example, to transportation firms. The purpose of this, according to Vukasin, is to give staff members broader expertise, thus providing the staff "more depth" in each area and a greater ability to handle the recent flood in rate increase applications.

According to critics, the purpose of the proposal is to move expert staff out of their principal areas of competency, thus making it easier for utility representatives to present their case for rate increases. They point out that a major utility may have thousands of employees to compile the facts and arguments it needs, whereas the PUC may have only a half-dozen staff members who are familiar with that firm.

Critics of the present commission see similar results in Vukasin's second set of reforms, dealing with hearing procedures. Three important changes are proposed: to prohibit anyone who is not an attorney from testifying at a hearing on behalf of any group; to place consumer groups and others in a limited status cate-

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Members of the Commission

The Public Utilities Commission is made up of five members who are appointed by the Governor, with the consent of the Senate, for six-year terms. Although the terms of the members are staggered so that in theory a majority will be experienced in carrying out the commission's responsibilities, four of the present members have been appointed during tthe past two years. All five are Republicans. They are:

WILLIAM SYMONS, JR., 57, a former state Senator, was appointed to the commission in January 1967 by Governor Reagan. Until 1961 he owned a large cattle ranch on the eastern side of the Sierra. He has served as a Mono County Justice of the Peace, a member of the Banto Elementary School Board, and on the Mono County Board of Supervisors (1948-62). He was elected to the State Senate in 1962 and served as vice-chairman of the Senate Public Utilities Committee and the Fact Finding Committee on Transportation and Public Utilities. He did not seek re-election in 1966 when the Senate was reapportioned, taking the PUC appointment instead.

JOHN P. VUKASIN, 42, practiced law in Oakland prior to his appointment to the commission in January, 1969. In 1956-57 he was a trial attorney with the Division of Highways, before entering private practice. In 1968 he was a visiting lecturer in business law at California State College, Hayward, and also served on the Governor's Auto Accident Commission as chairman of the Accident Prevention Committee. Very active in Oakland and Alameda County politics, Vukasin has served as a member of the Republican State Central Committee and in 1964 was state vice chairman of the Goldwater campaign. Vukasin is the current president of the commission.

THOMAS MORAN, 53, also was appointed to the PUC in January 1969. Following military service in World War II, he earned a law degree at Stanford and from 1948 until 1958 was an assistant counsel for Consolidated Aircraft and General Dynamics. From 1958 to 1969 he had a private law practice in San Diego. He was a founding member and has been director of the World Affairs Council of San Diego.

VERNON L. STURGEON, 55, was appointed by Governor Reagan in September 1969. He served two terms in the state Senate but was defeated in the 1966 primary by another incumbent following reapportionment. In 1967 he served as Reagan's Legislative Secretary for the Senate and then, in February 1968, was appointed chief deputy director of the Department of Public Works. He is owner of a milk distribution plant in Paso Robles where he has served as a water commissioner, police commissioner, city councilman, and mayor prior to his election to the state Senate in 1960. Sturgeon has also been a member of the Republican State Central Committee.

D. W. HOLMES, 45, is the newest member of the commission, having been appointed in February 1971 to replace A. W. Gatov, the last of the Brown appointees. Manager of an investment securities firm in Madera, Holmes has served as chairman of the Commission on California State Government Organization and Economy (the "Little Hoover Commission") since 1968.

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gory denying them the right to cross-examine witnesses, including company representatives; and to establish a "special interest" test to limit the number and kinds of groups appearing before the commission to those with a direct, special interest in the case at hand.

Vukasin has said that these procedural changes will speed up the hearing process for the benefit of the commission, the utility companies and the public. However, to the extent that this limits the role of consumer groups, it also may have an impact on the kind of evidence going into the record and, perhaps, the nature of the decisions the commission renders. To critics such as former commissioner William Bennett, the purpose is simply to exclude many of those who would publicly challenge the companies which seek unreasonable rate increases. It is no accident, they believe, that these proposals were originally presented to the commissioner by three attorneys who frequently represent utility companies.

Bennett is also concerned that the "federal agency teams" which he helped to assemble in 1958-59 may be disbanded or their activities sharply curtailed. These teams represent California in proceedings before federal regulatory agencies where rate and other decisions are made which ultimately have a major impact on rates and services in California. A spokesman for the commission acknowledges that the activity of these teams has been somewhat reduced, but blames it more on the Department of Finances' restrictions on out-of-state travel than upon any significant change in commission policy.

Change in Attitude

Whether or not these and other changes are adopted, there is clear evidence that within the past few years there has been a significant change in the dominant attitude of the commission regarding rate increases. During the early and middle 1960's the majority of commissioners and the staff laid great emphasis upon the duty of the PUC to protect the consumer against the private utility and transportation firms. It was during this period, for example, that the PUC began sending the staff teams to Washington to challenge proposed interstate increases which would have had a serious impact on rates in California, and it was during this period that Californians received a substantial reduction and rebate in gas rates.

In 1968-69 and 1969-70, however, rate increase applications jumped sharply, moving from an annual average of $5 mililon to a total in excess of $200 million. In 1969-70, 70 percent of all rate applications were granted, including $96,263,844 in gas rates, $46,476,821 in electric rates, $3,389,036 in water rates, and $18,543,459 in communication rate increases. Fare increases were also granted to over 30 transportation companies, including airlines, railroads, buslines and boat passenger services.

On January 21, 1970, the commission announced it would support a position, long advocated by the Pacific Telephone and Telegraph Company, which could have a major impact on rates. Both Pacific and Western Electric, which supplies equipment to Pacific, are owned by American Telephone and Telegraph Company. The commission majority decided that henceforth it would regard Western Electric as a manufacturer and not as a utility when considering the rate of return it would allow Pacific Telephone. This will permit Western Electric to raise its charges, increasing costs to Pacific Telephone and giving Pacific Telephone justification to raise its rates to the public.

Commission critics feel that this turnabout will have a major effect on future telephone rate decisions. Pacific is currently applying for an additional $195 million, or 40 percent increase. Although the PUC staff has recommended an increase of no more than $62.8 million, informed sources believe that the commission will award Pacific an increase closer to $150 million.

Another decision, rendered in November 1970, will have an effect on telephone charges. That decision allowed Pacific Telephone to use an accelerated depreciation schedule for tax purposes but to be treated as if it used a straight-line method for rate regulation purposes. This will give the company an extra margin of revenue which will not be considered in setting its rates. Vukasin states in his concurring opinion that allowing Pacific this benefit "will enable Pacific to obtain interest-free capital to expand and upgrade its services, and also result in the long run in lower rates."

Dissent

Dissenting Commissioner Thomas Moran charged that the decision "allowed a telephone company to collect and retain 'reimbursement' from subscribers for 'taxes' which the company in fact does not pay." A still stronger dissent was issued by Commissioner A. W. Gatov, who has since been replaced. Gatov stated that the commission had "rushed headlong to do the bidding of Pacific" and had not even heard the staff arguments against the proposal. In their decision, he said, "they have dumped all past practices and precedent established by this commission in some sixty years of regulation."

According to Republican Assemblyman Robert E. Badham, former chairman of the Assembly Committee on Commerce and Public Utilities, the commission is now moving away from an extreme "consumer bias" which he believes posed a serious threat to the economy of the state and back "towards economic balance between consumer, the economy and progress." Apparently the key to this change is the acceptance by a majority of commissioners of the concept that the utilities and transportation firms must be strengthened financially so that they can keep pace with growing demands for their services.

The most experienced member of the commission, William Symons, Jr., has expressed it this way:

> "Nationwide the utility companies have been doubling plant size and output every nine years. In southern California the rate is every eight years . . . It takes five years to build a fossil fuel plant and seven years for a nuclear plant. They are needed to provide the power for industrial and home use. The Eastern seaboard had several blackouts in 1965 and today additional power is needed. We want to avoid this condition on the west coast. The communications field is facing the same expansion problems . . . As communities grow together, they need extended service areas with a uniform rate increase. Twice the plant space is needed to handle the greater amount of calls. This construction costs money. Natural gas supplies, of which 75 per-

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Would Coordinate State Regulation

Environmental Superagency Proposed

A new state agency with "well-defined" powers over water, air, solid waste, nuclear radiation, noise pollution, pesticides and, to a limited degree, land use, was recommended this month by the Environmental Quality Study Council in its progress report to the Governor and the Legislature. The proposed new agency, referred to by the council as the "Environmental Quality Board" would also be empowered to overrule projects of other governmental agencies which in its view would have a "significant impact on the environment."

The Environmental Quality Study Council, chaired by Orange County Supervisor David L. Baker, decided at its February 25th meeting to sponsor legislation creating the new agency. The new board is to be patterned largely on the present water quality regulatory system, in the belief that the Water Quality Control Board with its regional boards affords "both a successful and a familiar model." The council suggests transferring the water quality control functions largely intact to the proposed new board.

Each of the other regulatory responsibilities proposed for the new agency offer more difficult organizational problems. In air quality there is a division of responsibility between the State Air Resources Board, which enforces standards on vehicular emissions, and the regional Air Pollution Control Districts, formed by County Boards of Supervisors to regulate stationary sources of pollution. The method for consolidating these functions under the new board is yet be explained.

The Legislative Analyst contends that "the state's long-range objective should be to work towards establishing one agency to regulate all forms of waste disposal," but he recommends that "consolidation be deferred until each of the three regulatory programs (air, water and solid waste) is fully authorized, organized and has achieved some experience and stability in its functions." It is the Analyst's recommendation that the first step should be to reconstitute the Air Resources Board to exercise all the state's responsibilities in air pollution control.

Solid waste management offers a different problem because there is no system of statewide regulation, and the basic policy decisions concerning the persons or entities to be regulated and the nature of the regulation have not yet been dealt with by the Legislature. The council report recommends that the machinery to accomplish this be established immediately and become part of the new board when that agency is created. The existing programs relating to pesticides and nuclear radiation would be transferred to the board as would responsibility for passing upon power plant siting, which presumably would be in addition to the decisions which must be made by the Public Utilities Commission.

The inclusion of land use planning as a specific responsibility is, perhaps, the most fundamental issue for the new agency since the traditional role of local government and individual property rights has not previously been a subject of state regulation. The council suggests limiting the state's role to certain geographic areas where there is a valid state interest in their protection, such as the coastline and certain mountain and prime agricultural areas. Development is to be regulated through exercise of a permit system "patterned on the successful San Francisco Bay Conservation and Development Commission." Legislation to establish such machinery for the coastline was defeated in 1970, and efforts currently underway to make a renewed effort to secure its passage this year face concerted opposition.

The council also recommends that the environmental impact reports on government actions affecting the environment, as required by the Environmental Quality Act of 1970, be subject to review by the board, with the power to bar projects not in compliance with the Act.

This massive reorganization proposal is now being readied for submission to the Legislature. It is generally conceded that serious consideration will be delayed until some of the specific regulatory programs are formulated and the complex series of intergovernmental responsibilities are specified in detail.

However, there is an indication of growing support for some overall organizational framework to pull together state regulation activities. In its report, the council, which will remain in operation for one more year, calls itself "a catalyst in bringing about needed change." The current proposal to create an Environmental Quality Board appears to represent such an attempt.

VOTING RECORDS

Listed below are the votes of Senators and Assemblymen on the major roll calls in the Legislature this month and a brief summary of the issues under consideration. Votes selected for inclusion are on issues of major importance to Californians as a whole or issues on which there is a major division of opinion, or both.

AB 20 (Burton) — An urgency measure requiring a two-thirds (54) vote, the bill would have restored cuts in Medi-Cal services initiated by the Administration to keep the program from exceeding estimated available funds. Defeated 45-32.

Among the items on the 1971 Legislative program of the Board of Governors of the California Community Colleges is this proposal:

"Exempt from Field Act provisions, for purposes of instruction, older hospitals, stores and other buildings where vocational education is given."

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Wildlife Management Policies and Politics

It would be stretching the truth to the point of fiction to say that California has a uniform or consistent policy of wildlife management. One reason for this is the large number of organized groups attempting to assist the state in determining what that policy ought to be. Such groups number in the hundreds, and compose a spectrum of persuasions ranging from adamant preservationism to unabashed consumptionism.

Historically, sportsmen have been California's most vocal wildlife management constituency, a situation undoubtedly reflective of the fact that sportsmen pay the major portion of the bill for the state's wildlife management functions. The California Wildlife Federation which now includes 14 different organizations with hundreds of member clubs, has been the chief vehicle for attempts to coordinate sportsmen's policy on a statewide level. As with any diverse group, however, the federation often has difficulty devising major policy positions that all of its members can support.

A corollary difficulty is that wildlife management suffers from a superabundance of lay expertise. Millions of citizens hunt and fish and therefore consider themselves experts on fish and game. This feeling of expertise is further stimulated by the "rod and gun" columns in most of the state's newspapers which give the activities of state wildlife agencies more "ink" than any other state agency, exclusive of the governor's office. Also, because the application of biology to wildlife management is of recent origin, few uniformly accepted theories exist, even among professionals.

The political result of all this is that sportsmen rely upon professionals to develop policy but jealously reserve the right to second guess them. The hunting and fishing clubs have carefully preserved a decision-making structure which encourages legislative intervention whenever a public agency's actions fall short of achieving uniform acceptance. Furthermore, the active decision-makers, legislators and members of the Fish and Game Commission, are frequently sportsmen themselves, with their own views of wildlife policy.

Deer Management

Historically, the most controversial game policy question concerns deer management. Although quiet now, the issue has never been fully resolved. Contrary to the accepted policy in Eastern states, many rural Californians have traditionally opposed the killing of antlerless deer (does and young deer). However, in the past 20 years, whenever the deer population in an area has surpassed what professionals believe the land can sustain, the Fish and Game Commission has taken the position that undernourished deer become infertile, and then authorizing antlerless deer hunts to bring down the population level is, paradoxically, the best way to keep it up. In so doing, the commission has touched off a running controversy with philosophical overtones regarding the appropriate beneficiaries of wildlife management policy and the issue of local control. While the battlelines frequently defy rational analysis, they usually pit a coalition composed of resource-rich counties, preservationists, and humane organizations against metropolitan area sportsmen and game biologists. The compromise adopted by the Legislature and currently in force gives individual counties a veto over commission authorization of antlerless deer hunts.

California's fish and game management policy has changed gradually from unfettered exploitation justified by a belief in unlimited resources to the present desire to preserve and replenish the supply of wildlife. Recently efforts have been made to broaden this policy to extend beyond traditional game animals. Confronted with oil spills and increased water and air pollution, conservationists have begun to demand programs for the preservation of non-game species, even though the funds for such programs may come from fees paid by sportsmen.

Non-Game Animals

Since the federal government has regulatory jurisdiction only over migratory waterfowl and the bald eagle, the future of non-game animals (24 native California animals are now on the federal endangered species list) rests almost entirely with the state. In July, 1968, the Department of Fish and Game started a project to determine the status of California's threatened wildlife and to develop programs for their preservation. There are currently 129 wildlife forms believed to be in short supply in California. The study of each species costs from $1,500 to $3,000. The Department funds the program ($82,000 in 1970) with some help from the federal government; however, the long term political future of this program may be dependent upon the development of a reliable source of non-sport funding.

Commercial Fishing

A third major continuing conflict has been between sports and commercial fishing groups over the handling of the ocean resources. Although the sportsmen and commercial fishermen seldom compete directly for the same species, commercial outfits take smaller fish, such as sardines and anchovies, that provide forage and bait for sport fish.

The Legislature has retained primary authority over commercial fishing, in deference to the industry's argument that the Fish and Game Commission, as traditionally selected, tends to over-represent sportsmen. The Legislature, however, has delegated to the Fish and Game Commission a gradually increasing role in controlling the taking of such fish as the sardine and anchovy for purposes other than those related to human consumption (fertilizer and animal food).

During the depression the commercial operators were allowed to harvest sardines with few restrictions. When the sardines subsequently disappeared from California waters, sportsmen, despite some evidence that the changing character of the ocean was partly responsible, blamed it on the commercial industries and are consequently strongly opposed to any expanded commercial taking of anchovies.

Last year an official group, the Commercial and Sports Council on Ocean Resources, was established under the auspices of veteran San Pedro Assemblyman Vincent Thomas to provide a forum for the two competing groups to get together and talk out their con-

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State Administers Fish & Game Programs

The state of California first moved to establish uniform statewide control of its wildlife in 1870 with the creation of a three-man State Board of Fish Commissioners. In 1907, the board began to receive funds from hunting and fishing fees and fines. With these funds the commission established several new bureaus and divided the state into separate administrative districts.

In 1927 a major reorganization was proposed to create a Department of Natural Resources with executive line authority to administer all wildlife programs. However, the Legislature subsequently modified the proposal, at the request of sportsmen, to retain a quasi-independent Fish and Game Division under the direction of the commission and separate from the new department.

Today the administration of California's wildlife programs is handled by four separate bodies: the Fish and Game Commission, the Department of Fish and Game, the Wildlife Conservation Board and the Marine Resources Committee.

Fish and Game Commission

The current California Fish and Game Commission was established by constitutional amendment in 1940. It is composed of five commissioners appointed by the Governor, subject to Senate confirmation, who serve staggered six-year terms and are removable only by majority vote of the Legislature. This somewhat unusual arrangement reflects the continuing desire for legislative pre-eminence in fish and game policy and the general legislative distrust of the executive branch during the governorship of Culbert Olson (1938-1942). The commission and the Department of Fish and Game are special fund organizations; the money for their budgets (a proposed $22.9 million from all sources for the coming fiscal year) comes from hunting and fishing fees and fines, special use taxes on the commercial fishing industry, and California's share of the federal excise tax on hunting and fishing equipment.

The commission was created by constitutional amendment, but its duties and powers are assigned by statute. The Legislature has consistently refused to permanently grant regulatory authority to the commission, and the present statutes provide that the commission's powers (dealing primarily with seasons, methods, and bag limits) must be renewed every four years. However, if the Legislature fails to renew the commission's powers, the last adopted regulations remain law, and the commission cannot revise them or adopt new ones. In 1963, during a controversy between the commission and the northeastern counties over the commission's authorization of two point deer hunts, Pauline Davis, then chairwoman of the Assembly Fish and Game Committee, had the bill to renew the commission's powers killed in committee. The powers were subsequently renewed during a special session (called for other purposes), but the northeastern counties still got their exemption.

The commission's regulatory powers traditionally have been limited primarily to hunting and non-commercial fishing. However, it has gradually received some additional authority over commercial fishing, including power to revoke abalone and lobster fishing licenses, regulate the reduction of certain fishes, such as sardines and anchovies, and control the inspection procedures for imported shellfish. Occasionally, the Legislature will also delegate to the commission authority to decide a specific technical or controversial issue.

Department of Fish and Game

The present Department of Fish and Game was created by the Legislature in 1951, in an act which separated it from the Department of Natural Resources and from direct administrative control by the commission. General policy development responsibility remains with the commission, however, and twice a year the director of the department must appear before the commission to say he is adhering to its policy. The present department director is Ray Arnett, a geologist active in conservation programs who worked for Richfield Oil Company as their public relations officer until 1969, when he was appointed director.

The department is organized into six geographical regions, with headquarters in Fresno, Long Beach, Redding, San Francisco and Sacramento. The director and his staff are located in Sacramento, and the Marine Resources Region is housed at Long Beach. In each of the regions and on the director's staff, the department's activities are divided into the functions of inland fisheries, operations research, marine resources, wildlife management, anadromous (spawning) fisheries, wildlife protection, and environmental services. The department employs a total staff of up to 1,300 people, varying with seasonal needs. The personnel in each region carry out the field activities and report to the regional manager, who in turn reports to the chief of operations, an assistant to the director. The staff branch chiefs report to the deputy director, currently Lawrence Cloyd, who has been with the department since 1930. Cloyd also does most of the liaison work.

In addition the department carries out all the scientific research and investigation for the commission. Frequently the commission's policies are derived from recommendations arising out of the department's studies.

Wildlife Conservation Board

The Wildlife Conservation Board is charged with planning and funding capital outlay projects for fish and wildlife habitat improvement and for providing public access to hunting and fishing. It may authorize the acquisition of full or partial rights in land or water and may expend state money to match funds from local governments as well as from the federal government. The board is not involved with the management or maintenance of the projects once they are completed.

The board is an autonomous branch of the Department of Fish and Game, and came into existence through the Wildlife Conservation Act of 1947. That act created the board as a vehicle for bypassing the commission in the allocation of newly appropriated federal funds and provided that the state's participation would be funded out of parimutuel revenues.

(Continued on next page)

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WILDLIFE *(Continued from page 48)*

flicts over the handling of the ocean resources. The six representatives from the commercial industries include one member each from the Tuna Research Foundation, the fresh fish markets, the Fisherman's Cooperative Association, the California Abalone Association, and two from unions, a crew union member and an AFL-CIO member. The sportsmen are represented by one person each from the California Wildlife Federation, the Ocean Fish Protective Association, the Sports Council, Inc. (bait and tackle shops), Salmon Unlimited, the Party Boat Landing Operators, and the Live Bait Haulers. Lawrence Cloyd, the Deputy Director of the Department of Fish and Game, serves as chairman.

Legislation

Relatively little major legislation focusing directly on wildlife has been introduced in the Legislature so far this year, but more general environmental measures such as those dealing with oil spills, the San Joaquin-Sacramento delta, and wild rivers could have a major impact on current wildlife populations. In addition, bills affecting the protected status of specific species, including such diverse creatures as the mountain lion, sea otter, coyote, and yellow-billed magpie, will occupy the interest of conservationists, sportsmen, farmers, and commercial operators.

Perhaps the liveliest issue for sportsmen will be a proposed hike in hunting and fishing license fees. The proposal, backed by the department and the commission, has yet to be introduced, and its success may depend upon the proposed utilization of the additional revenues. Other license proposals may include provisions for group licensing and revisions in the senior citizens program. Commercial interests are backing the reintroduction of Senator Lagomarsino's "Mariculture" bill, which would authorize the leasing of state waterbottoms for the cultivation of other marine life in addition to oysters. The bill was vetoed last year following the disclosure of an eleventh-hour amendment foreclosing public access to some inland waters.

FISH AND GAME *(Continued from previous page)*

Initial allocations totaling $12 million in 1955 have been followed by annual appropriations of $750,000. The board, together with the department, received an infusion of $6 million from passage of the Recreation and Fish and Wildlife Enhancement Bond Act (Proposition 20) last November, and contemplates expenditure of $180,000 of this money during the coming year.

The board is composed of the Director of the Department of Fish and Game, the President of the Fish and Game Commission (currently San Francisco attorney Sherman Chickering), and the Director of the Department of Finance. The board also includes a Legislative Advisory Committee.

Ray Nesbitt, named by Reagan as Conservationist of the Year in 1968, is the board's executive officer. He is a professional in wildlife management who has served state government for 25 years. The board has only four additional staff positions, and contracts for engineering and accounting services with the Department of Fish and Game.

Marine Research Committee

Another autonomous branch of the department, also created in 1947, is the Marine Research Committee, which coordinates research on marine resources to aid in the development of commercial fisheries. The committee is composed of nine, governor-appointed members of which five must be actively engaged in the canning or reduction of fish, at least one must be a representative or organized sportsmen's groups and at least one a representative of organized labor.

The committee conducts no reserch of its own, but coordinates and funds some of the activities of the Department of Fish and Game, the National Marine Fishery Service, Scripps Institute of Oceanography, the California Academy of Science, Hopkins Marine Station, and, occasionally, other institutions. The committee also pays for various publications, including a progress report on the reasearch it funds. Its work is funded through a special tax on commercial fish production which will provide a budget of $107,000 this year.

PUC *(Continued from page 46)*

cent comes from out of state, are growing increasingly short while demands are increasing.

"Unless the cost of money comes down, rates will keep increasing. Increases in rates are due to inflation. Unless bonds are attractive to customers they will not sell. These bonds have to be competitive in order to get capital. If companies do not pay on bonds, they will lose their ratings and be required to pay more interest . . . "

Basic Duty

Bennett and others who profess a strong kinship with Hiram Johnson charge that the PUC has become dominated by the major utility companies and has abandoned its basic duty to protect the public by establishing the lowest reasonable rates. They charge that Governor Reagan has in fact permitted the utilities to pick a majority of the new members of the commission, with the natural consequence that the PUC is now acting in the interests of those utilities.

Senate Hearings

Both houses of the legislature have scheduled special hearings on PUC procedures. Senator Alfred E. Alquist, the new chairman of the Senate Public Utilities Committee, has announced that his committee will begin a series of public hearings in mid-March on PUC policy and procedures. Commenting upon the sharp climb in rate increase appeals and approvals since 1967, Alquist noted that increases in utility rates hit consumers just as hard as increased taxes and therefore are a matter of continuing concern to the Legislature.

Those who have followed PUC policy over the years are skeptical, however, about the potential impact of legislative hearings. The history of the PUC indicates that, more than anything else, the attitude and philosophy of the individual commissioners govern PUC policy. If true, that means that PUC policy is established in the selection of appointees rather than by subsequent events and cannot be changed except as the membership of the commission is changed.

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dated $750 property tax exemption for homeowners.

Shared revenues for 1971-72 are expected to reach $677.6 million, including $253.6 million in motor vehicle license fees which cities and counties divide, $320.7 million in motor vehicle fuel taxes for county and city streets and roads, $74.2 million in cigarette tax revenues, $13 million in liquor license fees, and $16.1 million from other sources.

TAX RELIEF AND SHARED REVENUES
(In Millions)

	1969-70	Estimated 1970-71	Budgeted 1971-72
Senior Citizens Property Tax Assistance	$ 7.9	$ 8.6	$ 10.0
Business Inventory Tax Relief	48.9	90.5	98.8
Homeowners Property Tax Relief	199.7	217.7	235.0
Shared Revenues	610.8	652.5	677.6
	$867.3	$969.3	$1,021.4

Salaries

Although the State Personnel Board has recommended that state civil servants be granted a pay increase totaling $113 million, the Governor's Budget makes no provision for a general increase. In explanation the Governor, in his budget message said, "With unemployment much higher than we would like and thousands of Californians vigorously seeking employment, many of them anxious to work at any job at any living wage, our state revenues are down. Therefore it is not possible to include a pay raise for employees in this budget." Instead, $11 million is provided for premium overtime pay, a night shift differential, and unemployment insurance.

Salary increases for University and State College faculty as recommended by the Coordinating Council for Higher Education have also been denied. The council recommended an increase of 11.2 percent for University faculty salaries, plus fringe benefits of 5.3 percents, and an increase of 13 percent for State College faculty, plus an increase in fringe benefits of 6 percent, at a total cost of $70 million.

As inflation continues to erode the purchasing power of state salaries, it is probable that employee's organizations will make a major fight to obtain some increase. A demonstration in support of an increase for civil service employees was scheduled for Sacramento on March 2nd.

Other Provisions

Among the multitude of other provisions in the 1971-72 budget, the following are worth noting briefly:

- Interest costs to the General Fund are expected to rise from $0.8 million in 1969-70 to $9.2 million for the current year and $14.2 million in 1971-72. This cost results from the fact that the General Fund frequently must borrow from special fund reserves in order to meet monthly payment obligations.
- The newly established Department of Consumer Affairs, which is intended to "provide services for the protection of the public health, safety and welfare and to promote and protect the interests of the people of the state as consumers," will have to absorb a cut of $16,751 in General Fund support for 1971-72.
- The Advisory Commission on the Status of Women, which is to "report its findings and recommendations to the Legislature not later than the fifth legislative day of the 1971 session" will cease to exist on June 30, 1971. It has not yet submitted its report.
- A preliminary search indicates that the Lieutenant Governor's office is to enjoy the distinction of receiving the largest increase in funding for 1971-72, an increase of 51 percent.

Revenues

Estimated revenues are, of course, the key to the budget generally, and this year, because of the Governor's expressed intent to avoid a tax increase, they are more important than ever. Total state revenues for 1971-72 are estimated at $6.5 billion, of which $5 billion is in general tax revenues and $1.5 billion is in special fund revenues. The principal General Fund revenues are the sales and use taxes (39 percent), personal income tax (30 percent), bank and corporation taxes (12 percent) and inheritance and gift taxes (4 percent). The major special fund taxes are the motor vehicle taxes which account for 87 percent of all special fund revenues.

The estimated revenues are based in large part on projected economic conditions during the last half of 1971 and the first half of 1972. For 1971 the Department of Finance expects the state's economy to remain sluggish with unemployment holding to about seven percent, and manufacturing and particularly aerospace remaining weak. Construction activity is expected to rise, however, and federal employment to stop its recent decline. For 1972 the department expects "an improved economic situation for California" with unemployment going down to six percent and personal income increasing at 8.2 percent per year rather than the 6.1 percent forecast for this year.

Although the Department of Finance has compiled a good record with its revenue estimates over the years, it should be noted that the estimates presented in last year's budget turned out to be much too optimistic. General Fund revenues have proven to be $157 million less than the original estimates for 1970-71.

Tax Increase

Assembly Ways and Means chairman Willie Brown is convinced that a balanced budget will require a tax increase. Like many other Democrats, he believes the Governor will attempt to give the Democratic Legislature full credit for any such increase. This appears to be borne out by the Governor's statements, including his comments regarding the fiscal consequences of the Los Angeles earthquake. Although both the Controller and the Executive Secretary of the Franchise Tax Board have indicated that the quake will result in some reduction in state tax revenues, the Governor has said it will have no impact on his budget. Reagan, who has repeatedly opposed federal spending in California in recent monts, has said that he expects federal aid to cover most of the cost of this disaster.

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Hawk and Dove Bill and Coo

Feb. 21, 1971

The polarities of California Republicanism are represented in the Congress by Rep. Paul (Pete) McCloskey of San Mateo County and by Rep. John Schmitz of Santa Ana.

McCloskey, the most outspoken GOP congressional critic of the Indochina war now that Sen. Charles Goodell has gone to his reward, gained fame for his suggestion, first launched at Stanford and then repeated on the House floor, that Americans engage in a "national dialogue" on the subject of Richard Nixon's impeachment.

Schmitz, the former state Senator who earned a measure of notoriety as a political humorist by wisecracking that he joined the John Birch Society to get the middle-of-the-road vote in Orange County, is the hawkiest hawk in town. His weekly newsletters bristle in defiance of Communist forces the world over. Last year he proposed that the United States declare war on North Vietnam.

It comes as something of a surprise, therefore, to learn that a core of philosophical agreement unites McCloskey and Schmitz in their approach to this nation's war-making powers. Though Schmitz ardently supports President Nixon's decision to cut the Ho Chi Minh trail and McCloskey deplores the action, both men agree that the move is probably taken without constitutional authority.

"Congress ought to exercise its constitutional powers," Schmitz says. "That's why I proposed that we declare war."

Schmitz knows as well as anyone that politics remains the art of the possible. His own reservations about the constitutionality of our Indochina procedures do not deter him from whole-heartedly supporting the Laotian thrust "as a real breakthrough in the Allied effort against North Vietnamese aggression." He believes that military victory is both possible and necessary, and he views the war as a contest between Communism and freedom.

Schmitz numbers the President among his constituents, and the representation is an appropriate one. Despite opposing such Nixon domestic policies as the family assistance plan, Schmitz generally supports the President on foreign policy and says he has confidence in Nixon. Still, he seems troubled at times by constitutional questions and by wars still unfought.

"I used to be a history teacher and the lessons of history are clear in this regard," Schmitz says. "Leaders who are unchecked by representative assemblies start wars to unify their countries against an external enemy. Some future American President could take us into a war over, say Israel, and everyone in America except Liberty Lobby and those who are anti-Jewish would probably be behind him."

Now hear McCloskey, in the same congressional speech in which he advocated the "dialogue" on impeachment: "In reviewing the historical prerogatives of the legislative branch, it is apparent that the framers of the Constitution gave the war power to Congress because of a healthy fear and concern over its misuse by the executive branch." McCloskey, like any good Republican, then proceeds to quote Abraham Lincoln for his own purposes:

"The provision of the Constitution (said Lincoln) giving the war-making power to Congress was dictated, as I understand it, by the following reasons: Kings had always been involving and impoverishing their people in wars, pretending generally, if not always, that the good of the people was the object. This our convention understood to be the most oppressive of all kingly oppressions, and they resolved to so frame the Constitution that no one man should hold the power of bringing this oppression upon us."

There are other surprises in store for those who pursue the McCloskey speech. In a passage which failed to make the news accounts, McCloskey the Dove embraced a central tenet of those congressional advocates of preparedness who fear that our military supremacy is going down the drain.

"As a corollary to our acceptances of the concealment of Vietnam war costs during our consideration of defense department budget requests, we have permitted our strategic weapons strength and research and development to lag behind that of our real Communist opponent, Soviet Russia," McCloskey said. "Shortly before his death, our distinguished colleague, Mendel Rivers, made an impassioned speech in this chamber suggesting that the United States had never been in graver peril because of the deterioration of our comparative strategic position vis-a-vis the Soviet Union. Mr. Rivers stated that the basic reasons for this deterioration lay in our great expenditures in Vietnam over the previous five years . . . and increased domestic priorities . . . (He) made it clear . . . that in order to conduct the war in Vietnam this country had cut back essential defense programs of construction, repair . . . and research and development."

John Schmitz would not quarrel with McCloskey's reference to the Soviet Union. Indeed, Schmitz has been the most outspoken of congressmen in calling for a step-up in our strategic defense efforts. He says flatly that the United States should not settle for the nuclear "sufficiency" accepted by President Nixon but should insist on nuclear "superiority."

So much for that. Perhaps we should remember, after all, that both McCloskey and Schmitz are ex-Marines who remain serious about the Marine Corps. McCloskey comes from a military family, and he won the Navy Cross, the Silver Star and the Purple Heart as a combat officer in Korea. He remembers the civilian dead of that war, too, and the war still works inside of him and reveals itself in his speeches and his writings. He remembers in particular a village on which he ordered an aerial attack, a village which Chinese riflemen had fired from and then abandoned. Only some

(Continued on next page)

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PEOPLE IN THE NEWS

APPOINTED

Mark T. Gates, Jr., 33, a Los Angeles attorney, to a four-year term on the State Board of Education, by Governor Reagan. Gates succeeds Dr. Thomas G. Harward.

Edgar M. Gillenwaters, 38, formerly Assistant to the Governor for Intergovernmental Affairs and California's Deputy Director of Finance in Washington, D.C., as Director of the Department of Commerce, by Governor Reagan. Gillenwaters replaces J. Brian Sullivan who is returning to private industry.

D. W. (Bill) Holmes, 45, cairman of the Commission on California State Government Organization and Economy (Little Hoover Commission), to a six-year term on the Public Utilities Commission, by Governor Reagan, replacing Albert W. Gatov.

Newton L. Steward, 50, vice president and general manager of Humboldt Bay Video Company and a member of the Governor's Commission on Educational Reform, to a four-year term on the State Board of Education, by Governor Reagan. Steward replaces W. Howard Day.

Robert H. Volk, 38, President of Unionamerica, Inc., of Los Angeles and former State Commissioner of Corporations, as Chairman of the newly created California Space Shuttle Task Force by Governor Reagan. The task force's objective will be to secure NASA's proposed space shuttle project for California.

ELECTED

Henry T. Gunderson, 62, as President of the State Board of Education. He was appointed to the board by Governor Reagan in 1969 and was formerly president of the Building and Construction Trades Council.

RESIGNED

Ernest S. Starkman, 51, Chairman of the State Air Resources Board Technical Advisory Committee, to become executive in charge of environmental activities with General Motors Corporation.

CANNON *(Continued from previous page)*

50 persons too young or too old to leave the village remained there when our airplanes attacked.

That's McCloskey. He is, by his own admission, "ineffective" within the Congress, although he is a hero to the kids and the doves outside of it. He has a well-developed ego and the self-sufficiency to speak his mind with disregard for the political consequences. He is relentless in exposing the word-traps beloved by the Pentagon but not above such semantic dodges as calling for a "dialogue" about an impeachment he claims to oppose.

But, like him or leave him, McCloskey will not be silenced by those who are trying to read him out of the Republican Party. A year ago he irritated the House Republican leadership by opposing the move to impeach Supreme Court Justice William Douglas. Now, he is one of the few members of the Republican Party who dares to raise the constitutional issue about his own President. It diminishes neither him nor John Schmitz that the President's own congressman is one of the few others to also question the constitutionality of our actions in Indochina.

CALIFORNIA CALENDAR

Meetings of the following state boards and commissions are listed each month; if one of these boards is not listed, it can be assumed that it is not scheduled to meet this month. Boards and commissions to be included are: Board of Corrections; Trustees of the California State Colleges; California Community Colleges Board of Governors; Health Review and Program Council; Coordinating Council for Higher Education; Board of Education; Highway Commission; Little Hoover Commission; Commission on Husing and Community Development; Lands Commission; Park and Recreation Commission; Little Hoover Commission; Commission on Housing and Regents; and Social Welfare Board.

March 11-12	**Park and Recreation Commission.** 3/11 — Old State Bldg., 217 West First St., Los Angeles, 9:00 a.m. Subject: Pueblo de Los Angeles; 3/12 — Veteran's Bldg., Carpinteria, 9:00 a.m. Subject: Public hearing on changes in Title 14.
	Board of Education. Auditorium, Resources Bldg., 1416 9th St., Sacramento. 9:00 a.m.
March 17	**Department of Social Welfare.** Rm. 1194, State Bldg., 455 Golden Gate Ave., San Francisco. 9:30 a.m. Subject: Public hearing on redefinition of residency requirements for welfare.
	Department of Social Welfare. Human Resources Development Auditorium, 722 Capitol Mall, Sacramento. 6:00 p.m. Subject: Second in series of public hearings on proposed regulations to eliminate welfare abuses.
March 17-18	**Highway Commission.** Public Works Bldg., 1120 N St., Sacramento. 9:30 a.m.
	Personnel Board. Rm. 1194, 515 Van Ness Ave., San Francisco. 9:00 a.m.
March 18	**Commission of Housing and Community Development.** Rm. 3344, 1121 O St., Sacramento. 1:30 p.m.
March 18-19	**University of California Board of Regents.** University Extension Center, San Francisco.
March 23-24	**Board of Trustees, California State Colleges.** Third Floor Auditorium, Office of the Chancellor, 5670 Wilshire Blvd., Los Angeles. 9:00 a.m.
March 24	**Little Hoover Commission.** State Capitol. 9:30 a.m.
March 25	**Lands Commission.** Rm. 2170, State Capitol. 3:00 p.m.
March 25-26	**Social Welfare Board.** 3/25—Sierra Jr. High Auditorium, Riverside, 7:30 p.m. 3/26 — Holiday Inn, Riverside, 9:00 a.m.
March 31	**Health Review and Program Council.** Auditorium, Office Bldg. 9, 744 P St., Sacramento. 10:00 a.m.

The following boards and commissions follow a standard monthly schedule and thus are not included in the Calendar: Board of Agriculture, first Thursday of each month; Allocation Board, second Tuesday; San Francisco Bay Conservation and Development Commission, first and third Thursdays; Merit Award Board, second Wednesday; Public Works Board, last Monday; Reclamation Board, second and fourth Fridays; Soil Conservation Commission, fourth Tuesday; Transportation Board, first Thursday; California Water Commission, first Friday; and Water Resources Control Board, first and third Thursdays. Please contact the agency for meeting time and place.

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Selected State Government Reports

CRIME AND PENOLOGY

1970 Annual Report and Progress Summary of the California Council on Criminal Justice. California Council on Criminal Justice, 1108 14th St., Sacramento 95814. December 1970, 93 pages. Reviews the council's origin and function, summarizes key projects for year, and discusses unresolved problems.

Juvenile Court Processes. Assembly Committee on Criminal Procedure. January 1971, 71 pages. Committee findings with five recommendations on updating juvenile court process.

Youth Service Bureaus in California: A Progress Report. Department of the Youth Authority, 714 P St., Sacramento 95814. January 1971, 61 pages + appendices. Second annual report on nine experimental Youth Service Bureaus documenting their activities through the first year of operation.

EDUCATION

Culturally Disadvantaged, Underachieving Mentally Gifted Minors. State Department of Education, 721 Capitol Mall, Sacramento 95814. 1971, 5 pages. Report contains statistics on number of pupils identified during 1969-70 as culturally disadvantaged, on underachieving mentally gifted minors and on school districts that maintained special or regular classes for this group; and offers projections on number to be identified and enrolled in 1970-71 school year.

Early Childhood Development Programs — Articulation and Coordination. Coordinating Council for Higher Education, 1020 12th St., Sacramento 95814. January 1971, unpaged. Research report on curriculum and requirements for early childhood development programs in California community colleges with seven recommendations.

The Education of Mexican-American Pupils. Senate Committee on Education. October 1970, 210 pages. Proceedings of hearing.

The Intermediate Unit in California's Educational Structure, A Study of the County Superintendent of Schools. Office of the Legislative Analyst. January 1971, 66 pages. An analysis with recommendations to the Legislature including organizational basis, administrative structure, functions and finance.

Placement of Pupils in Classes for the Mentally Retarded. State Department of Education, 721 Capitol Mall, Sacramento 95814. 1971, 20 pages. Tabulates number of districts which have complied with required re-evaluation of children presently placed in classes for mentally retarded and cites number of such children transferred into normal classrooms, availability of remedial programs to facilitate such transfers, and current status of ethnic enrollment in special classes for the mentally retarded.

Report of the Governor's Commission on Education Reform. Room 1178, State Capitol, Sacramento 95814. January 1971, 70 pages. Commission recommendations in areas of school finance, teacher training and certification, classroom practices and instructional methods, curriculum, future needs, and governance at federal and state levels.

Report of State Council on Long Range School Finance Planning. State Department of Education, 721 Capitol Mall, Sacramento 95814. February 1971, 15 pages + appendices. A proposal for levying a statewide property tax of $3.75 as substitute for property taxes now levied by local districts for maintenance and operation of schools.

ENVIRONMENT

Air Pollution Control in California. Office of the Legislative Analyst. January 1971, 101 pages. A study of state and local air pollution control agencies with emphasis on present organization and functions of the state's Air Resources Board, program problems, state-local relationships, and possible reorganization.

Annual Report of the Air Resources Board for 1970. Air Resources Board, 1108 14th St., Sacramento 95814. January 1971, 51 pages. Third annual report detailing board's operations for 1970, including progress made in implementing Mulford-Carrell Air Resources Act.

The Automobile, Air Pollution and the 1971 Legislature. The Planning and Conservation League, 909 12th St., Sacramento 95814. January 1971, 15 pages. A position paper on air pollution with proposals for legislative and administrative action.

Progress Report for 1970. Senate Select Committee on Salinity Intrusion in Agricultural Soils. January 1971, 56 pages. Seven recommendations for legislation on subject of intrusion of ocean salinity into SF Bay-Sacramento-San Joaquin Delta.

Project Clean Air. University of California Research Reports. September 1970, Volumes I-IV. Twenty-three reports covering work performed and results obtained in short term applied research projects on problems of air pollution.

Project Clean Air. University of California Task Force Assessments. September 1970, Volumes I-IV. Seven reports that summarize what is known about air pollution and recommend steps to be taken for resolving the problem. Write Project Clean Air, Room 736 University Hall, Berkeley 94720. ($1.50 a volume or $12 for set of 8 volumes. Present supply exhausted. Possible reprint according to demand.)

Protecting and Enhancing Environmental Quality. Department of Public Works, 1120 N St., Sacramento 95814. January 1971, 21 pages. Summarizes important measures and procedures developed in the planning of California's highways to safeguard environmental quality, both natural and urban.

Second Progress Report of the Environmental Quality Study Council. Environmental Quality Study Coun-

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cil, 1400 10th St., Sacramento 95814. February 1971, 30 pages + appendices. Report recommends creation of an Environmental Quality Board with well defined powers and responsibilities over water, air, solid waste, nuclear radiation, pollution, pesticides and, to a limited degree, land use.

GOVERNMENT AND POLITICS

Report on an Evaluation of the 50 State Legislatures. Citizens Conference on State Legislatures, 4722 Broadway, Kansas City, Missouri 64112. ($2.50 ea.) February 1971, 31 pages. A systematic evaluation of the 50 state's legislative capability, with the California Legislature ranking number one.

Report and Recommendations on Use of Boards and Commissions in Executive Branch of California State Government. California State Chamber of Commerce, Suite 300, 455 Capitol Mall, Sacramento 95814. ($1.00 ea.) 1970, 16 pages. A critical look at use of boards and commissions and their proper role in the executive branch, with 17 recommendations for improvement.

Summary Digest of Statutes Enacted and Resolutions Adopted, Including Proposed Constitutional Amendments and 1969-1970 Statutory Record, California Legislature, 1970 Regular Session. Office of the Legislative Counsel. 1970, 587 pages.

HEALTH AND WELFARE

California Medical Assistance Program — Background Information. Office of the Legislative Analyst. January 1971, 16 pages. A background document on the Medical Assistance Program including sections on the Medi-Cal program.

Legal Aspects of Sterilization, Abortion and Family Planning. Assembly Committee on Judiciary. October 1970, 115 pages.

Report of the Senate Subcommittee on Human Needs. Senate Subcommittee on Human Needs, Room 2054, State Capitol. February 1971, 60 pages. Report documents violation of state's Mortgage Loan Brokers Law of 1955 by mortgage broker firms with attendant burdens on state's low-income families.

A Review of Wholesale and Retail Pricing and Marketing Patterns and Practices for Prescription Drugs in California. Office of Legislative Analyst. January 1971, 9 pages.

INSURANCE

Investment Guarantee Insurance. Assembly Finance and Insurance Committee. November 1970, 74 pages. Transcript of hearing.

Municipal Liability Insurance. Assembly Committee on Finance and Insurance. November 1970, 64 pages. Transcript of hearing.

Unless otherwise indicated, reports may be obtained by writing the appropriate committee or agency, c/o State Capitol, Sacramento, California 95814.

MISCELLANEOUS

Application of the Doctrine of Strict Tort Liability to Building Construction. Assembly Judiciary Committee. October 1970, 73 pages. Transcript of hearing.

Changing Roles for Cities; City Government and Regional Problems: A Positive Proposal; A Report. Los Angeles County Division, League of California Cities, 702 Statler Center, Los Angeles 90017. (Available to city officials only) October 1970, 47 pages. Designs a regional structure of government based on the combined methods of direct election by districts and constituent unit representation.

Governor's Automobile Accident Study Commission, Final Report. Volume II, Part 1 — Reparations, 356 pages; Part 2 — Accident Consequences, 147 pages. Volume III, Parts 1 and 2 — Automobile Accident Prevention,, 637 pages. December 1970.

Investigation of Transportation Service Between Sacramento Area and San Francisco Bay Area; A Report. Business and Transportation Agency, 1120 N St., Sacramento 95814. January 1971, 15 pages. A discussion of possibility for new transportation link between Sacramento and Bay Area, with tables on projected traffic flow. Report concludes (with several dissenting voices) that project does not have sufficiently high priority to recommend early allocation of funds.

Report of the American Revolution Bicentennial Commission of California. American Revolution Bicentennial Commission. c/o Assemblyman Charles Conrad, Capitol Building. February 1971, unpaged. A comprehensive report on the activities of the commission including minutes of all meetings and resolutions adopted.

Report Concerning the Employment Status of Women Hired by the California State Colleges. Office of the Chancellor, California State Colleges, 5670 Wilshire Blvd., Los Angeles 90036. January 1971, 4 pages. Tables and research data on employment of women in various categories.

Report on Financial Condition, Present Operation and Future Planned Activities of the California State Exposition and Fair. California State Exposition, 1600 Exposition Blvd., Sacramento 95815. February 1971, 3 pages. Printed in full, Senate Journal, February 8, 1971, pages 282-283.

A Region's Press: Anatomy of Newspapers in the San Francisco Bay Area; by William Rivers and David Rubin. Institute of Governmental Studies, University of California, Berkeley. ($4.50 ea.)

Public Transit in California. Senate Select Committee on Rapid Transit. January 1971, 85 pages. Report outlines a series of comprehensive recommendations on the subject of public transit in California including need for preparation of a master plan for balanced transportation.

Statement of Vote, State of California General Election, November 3, 1970. Office of Secretary of State, State Capitol, Sacramento 95814. March 1971.

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It is an American fault to insist on extravagant goals – as if to set out to achieve anything less than everything suggests a lack of sincerity, manliness, or both – and to be exceedingly busy with other matters when it subsequently develops that little or nothing happened.

– Daniel P. Moynihan

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